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APPENDIX

TO

Journals of Senate and Assembly,

OF THE

EIGHTEENTH SESSION OF THE LEGISLATURE

OF THE

STATE OF CALIFORNIA.

VOLUME II.



SACRAMENTO:

D. W. GELWICKS, STATE PRINTER.

1870.

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R E P O R T

OF THE

ADJUTANT-GENERAL

OF THE

STATE OF CALIFORNIA,

FROM

OCTOBER 31, 1867, TO NOVEMBER 1, 1869.

D. W. GELWICKS, STATE PRINTER

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,
Adjutant-General's Office, Sacramento, November 20th, 1869. }

To His Excellency,
Gov. H. H. HAIGHT,
Commander-in-Chief, N. G. C. :

GOVERNOR: In accordance with the requirements of the law, I herewith respectfully submit the following report of the transactions of this department since last report of October thirty-first, eighteen hundred and sixty-seven, up to October thirty-first, eighteen hundred and sixty-nine :

I.

An account of all moneys received and expended since last report.

II.

An account of all ordnance and ordnance stores, Quartermaster's property and military property of every description belonging to the State; from what source received, to whom issued, etc., and the amount thereof now on hand.

III.

A list of enrolled militia of the State, as per returns of the several County Clerks.

IV.

A list of commissions issued to officers of the National Guard of California.

V.

A list of exempt certificates issued to members of the National Guard of California, in pursuance to section forty-five, amendatory militia law of the State, approved March thirtieth, eighteen hundred and sixty-eight.

VI.

A list of companies mustered out of the service of the National Guard of California since last report.

VII.

A list of companies organized and mustered in to the National Guard of California since last report.

VIII.

A roster of the National Guard now in the service of the State.

IX.

An estimate of the expenses of companies, regiments, battalions and brigades now in service of the National Guard of California, from January first, eighteen hundred and seventy.

X.

A list of officers and enlisted men of the California Volunteers who died while in the service of the United States.

XI.

General and special orders issued since last report.

XII.

Reports of Brigadier-Generals.

REPORT.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, October 31st, 1869. }

To His Excellency,

H. H. HAIGHT,

Governor and Commander-in-Chief of the Military
Forces of the State of California :

SIR : Herewith I have the honor to submit my official report as Adjutant-General, from the first day of May, eighteen hundred and sixty-eight, to the thirtieth day of November, eighteen hundred and sixty-nine :

Of all the sciences that comprise the sum total of human knowledge and experience, and affect individual well being and national prosperity, none is so neglected or misunderstood as the science of government. Important to all, it has a peculiar and higher value to the citizen sovereign of this democratic republic. Yet it is ignored in our schools, and scarcely has a recognized place in our universities. A subject so vast and important, touching all the ramifications of human society, can be grasped in its entirety and details only by the profound statesman or special student. A knowledge of the great outlines and fundamental principles should be acquired by every citizen. Yet, while politics, in its narrow sense, interests the great body, political ethics is studied by the very few. Yet while these need no advocate, there are other institutions as necessary and beneficent, which requires a constant appeal to popular recognition, and of such is the militia system. The main reason for this non-appreciation is, that the necessity of the military branch of government is not so constantly manifest. The machinery of civil administration, executive, legislative and judicial, is in a constantly active operation, and its protective privileges and restraints mould in every transaction with our fellow citizens; but the exercise of the military power, which gives to the whole fabric its cohesion and strength, is exerted only in occasional emergencies, and in the mean time, relaxing into mere apparent inutility, deceives the popular mind into depreciation and neglect. Thus, those who are responsible for the administration of military affairs and the preservation of the great safeguard, are constrained to appeal continually to popular judgment and fears, to demon-

strate the absolute necessity of an efficient military organization, and insist upon its support. An efficient military organization is a necessary part of every Government: first, to protect the body politic from external hostility and aggression; and, secondly, to insure domestic tranquility and the enforcement of the law.

MILITARY SYSTEM OF THE UNITED STATES.

The military system of the United States recognizes sovereign States, and assumes only those duties that affect the common interest of all. A large permanent army being correctly considered as the most formidable menace to the liberties of the people, the regular forces of the United States have always been limited to the absolute necessities of frontier and garrison duty. A continental and commanding position has relieved all fears of foreign invasion, while a vigilant jealousy of military power and an economical policy have at times reduced the army even below the actual necessity of the service, and such reduction has always astonished the crowned heads of Europe, whose ideas of empire are inseparably connected with large armies; but, as our people are the government, so also the people are the real army, thus satisfying all the conditions of popular rule. Though the people and government are one, yet, viewed distinctly, their military relations become more obvious; as the one insures protection of life, property and political rights, so the other returns support that awes the factious, and insures protection at home and abroad, and forms the very basis of ultimate power and strength, on which the whole fabric rests.

The burden of military science is as onerous as it is necessary. To many it is distasteful; to others it is objectionable, as interfering with business pursuits or social pleasures. To those who voluntarily assume the duty the whole community owe an obligation which is too often ignored. It should be remembered that every member of the National Guard has entered into a serious contract, sealed with his solemn oath, to serve the State a given period, requiring on his part a large expenditure of time and money, and involving possible jeopardy of life itself. These are real sacrifices that should be properly appreciated by the whole people, and not, as is too often the case, derided as a vain monomania for wearing a uniform. The soldier feels a pride in his uniform, which is the badge of an honorable profession; and it should be remembered that, for every day he exhibits it to his fellow citizens, there are many days and weeks devoted to laborious drill and study. He also bears large assessments, to which the military tax of the civilian is unimportant. When, with the State or more local pride, the public witnesses the march of the battalions, and their proficiency in every martial exercise, there should be recollected the hours of patient endeavor and toil that have produced such results, and captious opposition to the few civil exemptions claimed by the citizen-soldier should be silenced.

While the entire militia of the State is liable to military service, when occasion requires, the permanent organization of only a small proportion is desirable. The force should be sufficiently large for all probable emergencies, and serve as a support and nucleus of organization when necessary. In the rural districts, with a small population, few and small organizations only are required; while in the cities should be concentrated the great majority. In the country, there will always be a great difficulty in sustaining companies. Distance renders assemblage for drill arduous and unfrequent. It will be very evident to the reflec-

tive mind that our country would be greatly advanced by the training of our youths in military science. This might be easily obtained by the introduction, into our schools, academies and colleges, of such course of military instruction, drill and discipline, in connection with the regular studies, as in a short time would make every young man a soldier, or at least to that extent, in case of his services being demanded, he would not be entirely ignorant of the duties that might be required of him. The General Government has already taken some initiatory steps toward the introduction of a course of military instruction into such schools and colleges as might desire it; and it is to be hoped the interest already awakened in the adoption of a general system, as a part of the regular course of study in our institutions of learning, will increase. Military education is indispensably necessary to the science of an army and the protection of a State.

ENCAMPMENT.

A general encampment of the National Guard is indispensably necessary for its development and advancement. In this way, the men are brought together in large bodies, and are habituated in all the varied duties of the camp and field. They are encamped in tents; are required to perform sentry duty, guard mounting, dress parade, and are daily instructed in the drill. In a very few days they become familiar with the routine duties of the profession of arms and are in readiness, when the exigency arrives, to put into practice the teachings of the camp and garrison.

Through such means only can we have an army of citizen-soldiers, ready, even while quietly engaged in the peaceful pursuits of life, to spring to arms at a short notice. The immortal Jefferson truly said, "None but an armed nation can dispense with a standing army." It is in the cities and large villages that the military organization is most needed. It is an auxiliary force to the police, and by its presence maintains good order and prevents lawlessness, thereby securing to the citizen his vested rights and privileges.

It is certain that a smaller force, well disciplined and thoroughly instructed, that can be quickly concentrated, is of more service to the State, in the protection of its varied interests, than a large force scattered through its borders, and without the burden of taxation being very grievous upon the people.

DISCIPLINE.

The strict discipline of standing armies cannot be applied, in all its severity, to the National Guard. It should be, as near as possible, approximated, for no body of men so constituted can be made effective in carrying out the objects for which they were organized, unless they learn the lesson of perfect obedience, which may seem difficult at first, but the necessity is soon understood, and through habit and attention is quickly infused into the soldiery, with the perfectness of a complete machinery. Thus the different elements are connected into one body, and animated by the same impulses, constitute an organization, mobile and full of fervor and activity. "In union there is strength," and an army that is thoroughly disciplined is possessed of a power and influence that is irresistible as against a number twice as large; but without this important element, an army cannot exist. A great improvement has been made already in the National Guard, in its discipline, but there is

an opportunity for a more marked advance, and it is to be hoped that every officer of the organization will exhibit a deeper interest and desire to secure a thorough condition of discipline, thereby making their commands ever ready and effective for such services as may be required of them.

It should be the pride of the State of California that the National Guard be composed of her best class of young men, and to secure this, the State, through its Legislature, should furnish sufficient inducements to this class to connect themselves with the organization, by exemption, such as jury duty and a limited amount of taxation, and such other necessary inducements to attract to the ranks the best and most reliable elements of society. Surely these exemptions are but trifles compared with the value of the services performed, and that no other compensation is provided; and in this connection I would most respectfully suggest to your Excellency that the military system of the State would be greatly improved by so amending the militia law as to cause the service of the National Guard to be a term of three years instead of one, as at present.

BREECH-LOADING GUNS.

The application of the breech-loading principle to small arms has marked a new era in the science of war. This great improvement, which threatens to revolutionize tactics and modify the principles of strategy, has been accepted with a promptitude and unanimity remarkable in view of military conservatism, and indicative of the unqualified appreciation of its merits. Since the various exhibitions of the superiority of this improved arm, it has been adopted by a number of the States, and already the several European Governments have either adopted the new system or are making preparations for the conversion of old arms or the substitution of new ones. The regular army of the United States is being rapidly armed with guns converted into breech-loaders. It is to be hoped that your Excellency, seeing the importance of these facts, and, through you, the Legislature, will cause to be constituted a board of officers by legislative action, to determine the most efficient breech-loading arm for the use of the National Guard. In view of the importance of a speedy adoption of a new armament for the National Guard, it is earnestly recommended that a special appropriation be made for the conversion of at least five thousand during the next year.

MAXIMUM AND MINIMUM.

There were, on the first day of May, eighteen hundred and sixty-eight, at the time I assumed the duties of this department, sixty-five companies of the National Guard in the State service. It was deemed advisable to materially reduce the then existing force, for the following reasons, viz :

First—The interest of the commonwealth did not demand the maintenance of so large a force.

Second—A number of companies were distributed and located far in the interior, where it was entirely unnecessary to keep up the organization.

Third—Because the last Legislature reduced the military tax from five cents to one and one-quarter cents on the one hundred dollars of the taxable property of this State. The force was also reduced by legisla-

tive action to sixty companies of different arms, viz: Forty-eight companies of infantry, eight of cavalry, and four of artillery. Section one of amendatory militia law of eighteen hundred and sixty-eight especially provided that the above companies should be located through the State with reference to the military wants, means of concentration and other military requirements. In pursuance of this section, orders were immediately issued mustering out and disbanding such companies as were deemed unnecessary for the public good, and those who had failed to comply with the law. The names and numbers of these said organizations are given in accompanying tables and recapitulations, together with copies of the special orders issued from these headquarters authorizing the said disbandments and muster out.

Since assuming the duties of this office, there has been organized and mustered into the State service, under the law of eighteen hundred and sixty-eight, two field and staff, and seven company organizations; and the actual force of the National Guard now in service is thirty-seven companies, viz: Infantry, thirty; cavalry, five; artillery, two; with an aggregate number of men, rank and file, of two thousand four hundred and fifty-one; and a grand aggregate, including staff, regimental and line officers, of two thousand six hundred and eighty-six.

STATE ARSENAL.

On the first of March, eighteen hundred and sixty-eight, the State leased a building in this city, on J street, between Fourth and Fifth streets, for the term of forty-seven months, at a monthly rental of eighty dollars, amounting to nine hundred and sixty dollars per annum; the very best arrangements that could have been made at that time. This building is entirely inadequate for the purposes for which it was intended, and since the disbandment of unnecessary organizations, the ordnance and ordnance stores received from these late companies have so crowded the building that it is with great difficulty that arms can be got at, either for inspection, repairs or shipment. Then, too, there is no ventilation whatever, and the several boxes and arm chests in which arms and accoutrements are stored, are literally rotting, while the floors also are damp and in a bad state of decay.

Being unable to secure a suitable storehouse for the storing of the batteries received from the Stockton and Marysville artillery companies mustered out of the service, I was forced to have the same dismounted and stored, as compactly as possible, in the present State Armory; but this even could not be done until after the sale of condemned Quartermaster's stores, which took place in January, and which is referred to elsewhere. In connection with this I herewith append report of Brigadier-General Josiah Howell, Inspector of State Armory, as per special order number fifty, General Headquarters, State of California, under date of September twentieth, eighteen hundred and sixty-eight, in relation to the same:

"Owing to the crowded condition of the Armory, it has been impossible to make a proper inspection of the ordnance and ordinance stores, but from a superficial inspection, I am satisfied that they require immediate attention to insure preservation from dampness and rust. * * *

The horse equipments for cavalry—saddles, bridles, etc.—are not in the condition they should be, owing partially to lack of room for proper care and storage.

“The crowded condition of the present armory, which is, in my judgment, entirely too small, badly ventilated, and inaccessible for the purpose for which it is used, precludes the possibility of a thorough inspection of all the State property stored therein without much labor and expense.”

A. A. Bennett, an eminent architect of this city, very kindly furnished me an estimate of the probable cost of a State Arsenal of the following dimensions, viz: Sixty feet front by one hundred feet deep, and three stories high. It will be seen that the basement will be sufficiently large for the storing of all the heavy ordnance, which now amounts to three batteries, also ordnance stores of heavy character, and at the same time give ample room for the drill of artillery company or companies. The second story will be used as an armory, to be occupied by the several different companies, thereby saving four thousand dollars per annum that is at present being paid in this city for armory rents, placing the State property in a condition where it will not be liable to be destroyed by fire and decay, as at present. The third story can be used for small arms, uniforms, etc., giving sufficient space to keep the same properly arranged, and in constant readiness for immediate use or shipment at any and all times, when demanded. The cost for the erection of such a building will not exceed fifty thousand dollars. California is the only State that has not a State Arsenal and Armory, except those of recent recognition. By reason of inexcusable negligence on the part of those having authority, the State has sustained great loss by conflagrations and other causes, as herein mentioned, and I cannot too forcibly insist on the immediate selection of a suitable location and erection of a State Arsenal.

STATE ARMORER.

I would most respectfully and earnestly recommend to your Excellency, and through you, to the Legislature, the importance of a salaried State Armorer, with a salary of fifteen hundred dollars per annum. It is impossible to keep the arms in repair and readiness unless the Armorer is made responsible for the same. There could be employed a good mechanic for that purpose, at the same time demanding of him a sufficient bond, as a guaranty for the faithful performance of said duty. It would cost the State several thousand dollars at present to place the State arms in good condition, and even if repaired, would soon be unfit for immediate use, unless they were properly cared for. It would be a great saving of money to the State, and at the same time the arms would always be in readiness for immediate use. The Adjutant-General should have power to appoint the State Armorer, and hold him at all times responsible for the performance of the duties pertaining thereto.

UNIFORMS.

The uniforms now in the State service are very much dilapidated and are almost expended, as they have been in service for six years. The companies that are compelled to wear the uniforms belonging to the State are ashamed to parade before the public, and a number of the companies, as a matter of self-respect and soldierly pride, one company vieing

with another, through subscriptions from friends and donations by themselves, have supplied themselves with uniforms. This is unjust, and it is earnestly recommended to your Excellency and the Legislature, the actual necessity of an immediate appropriation sufficiently large to be placed in the Military Fund for the purchase of uniforms for at least fifty companies. As will be seen by the report of Brigadier-General Howell, Inspector of State Armory, under special order number fifty, General Headquarters, State of California, of date September twentieth, eighteen hundred and sixty-eight, the greater part of clothing on hand was reported as damaged and unfit for use; and the same, as per instructions received from your Excellency, were condemned and sold at public auction.

The suggestion of Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, in reference to the purchasing of material, and having the same made up at the tailoring department of the Penitentiary, is exceedingly good. In this way the State could furnish a good uniform for our citizen-soldiers at greatly reduced rates. As soon as this can be accomplished, I would very respectfully recommend that the present supply of clothing now in possession of the companies in service be condemned and sold at public auction, and the proceeds paid into the Military Fund.

SAN FRANCISCO ARMORY.

It is deemed of great moment to call the special attention of your Excellency to the great importance of building an armory in the City of San Francisco, for the reason of the insecurity of the State property if it be kept in rented armories in different portions of the city, stored in buildings that are liable to be destroyed by fire at any moment; and at times it is almost impossible to secure suitable accommodations for drilling, causing thereby the various companies great inconvenience. As a matter of economy it is of the greatest importance, as the State is expending twenty thousand dollars per annum in the one item of armory rent in that city. It will be seen that this sum will pay the interest on nearly one hundred and seventy-five thousand dollars. A suitable building can be erected, including purchase of location, for about one hundred and twenty thousand dollars. The size of the building should be from sixty to eighty feet front, by one hundred and fifty feet deep, with suitable partitions and all necessary conveniences. It will be readily seen that this will be a great saving to the State, and at the same time the State property will be entirely secured, being stored in a fire proof building.

MILITARY TAX.

I desire to call the particular attention of your Excellency to the insufficiency of the tax levied for military purposes. The amendatory militia law of eighteen hundred and sixty-eight provided for a tax of one and one-quarter cents on each one hundred dollars of taxable property, and which at that time was deemed ample. But experience has shown that the expense attending the support of the National Guard far exceeds this amount, and the importance of increasing the tax. The military income for the forthcoming year, based upon the assessment of eighteen hundred and sixty-eight, is as follows: The assessment of eighteen hundred and sixty-eight was two hundred and thirty-seven millions four hundred and eighty-three thousand one hundred and

seventy-five dollars and seven cents. The assessment of eighteen hundred and sixty-nine, not yet complete, will amount to about the same.

Deduct for military income 1½ cents on each \$100.....	\$29,685 39
Less 20 per cent., presumed delinquencies and expenses attending collection of taxes.....	5,937 07
Net income.....	\$23,748 32

By accompanying tables elsewhere it will be seen that the estimated expenses of the companies now in service of the National Guard far exceed this amount, and I earnestly recommend that the coming Legislature will provide for an increase of tax for military purposes to two and one-half cents on each one hundred dollars of taxable property.

ADJUTANT-GENERAL'S OFFICE.

In fixing the appropriations for this office, the last Legislature, by a great oversight, failed to make provisions for the pay of the Assistant Adjutant-General for the twentieth and twenty-first fiscal years, amounting to the sum of four thousand dollars. Section four of the militia law of the State, in reference to the Adjutant-General and Assistant Adjutant-General, says: "The Adjutant-General shall be ex officio Chief of Staff, Quartermaster-General, Commissary-General, Inspector-General and Chief of Ordinance. * * * He shall have power to appoint an Assistant Adjutant-General, who shall perform the duties of a clerk in the office of the Adjutant-General, and, during his absence or inability to act, shall perform the duties of that office and such other duties as shall hereinafter be prescribed, and shall receive a salary of two THOUSAND DOLLARS per annum."

The clerical work of this office has been performed by the Assistant Adjutant-General and the employment of one competent clerk; and it will be necessary to keep in constant employ a clerk, in addition to the present Assistant Adjutant-General, in order to complete the unfinished work already begun. The last Legislature made the necessary appropriation for this clerk but none for the Assistant Adjutant-General, which will necessarily have to be supplied by the forthcoming Legislature.

The late Assistant Adjutant-General resigned his position on the first day of October, eighteen hundred and sixty-nine, and there is now due him, for services rendered, salary for fifteen months at one hundred and sixty-six dollars sixty-six and two-thirds cents per month, amounting to the sum of twenty-five hundred dollars, which amount should at once be audited and allowed. An appropriation for salary for the remaining nine months of the present fiscal year should also be made to pay the officer now employed.

MISCELLANEOUS.

Since the last report from this office, October thirty-first, eighteen hundred and sixty-seven, there has been nine hundred and six official letters received, and five hundred and twenty-three of sufficient importance to be copied into letter books and answered, besides a great many

others of minor importance relative to blanks, addresses of officers and soldiers of California Volunteers, etc., of which it was not deemed necessary to keep copies. There has also been issued from this office ninety-one special orders and five general orders. There has been issued one hundred and sixty-nine commissions to officers of the National Guard; forty-seven exempt certificates to the members of the State Militia; and sixty-eight certificates of service to late California volunteers, in lieu of discharges lost. There has been eight hundred and thirty-three money claims certified to before the honorable Board of Examiners, as follows: bounty claims, eighty-three; relief claims, forty-seven; State claims, seven hundred and three.

The present appropriations for this office will be ample and sufficient, with the exception of the appropriation for transportation and cleaning of arms. An additional sum should be allowed for expenses that may occur before the close of the present fiscal year. If the forthcoming Legislature will grant the employment of a permanent or salaried State Armorer, then the present appropriation of one thousand dollars will be sufficient, otherwise it should be increased to double the amount.

The books prepared by General Evans, my predecessor in office, for the alphabetical arrangement of the late California Volunteers, were found to be in such a damaged condition—many pages missing and bindings destroyed—that I deemed it best to have new ones made of smaller size, and complete the work already began. The record contained in these books, when finished, will be of the greatest importance to the State and future administrations, inasmuch as the several muster-rolls of the different companies and regiments that were in the service are very much dilapidated, and, by constant reference, would soon become almost illegible.

For the convenience of many of the late California volunteers, and in reply to numerous inquiries respecting the time, place and manner of death of certain members, I have prepared, from the muster rolls of the late organizations, a list of those who died while in the service of the United States, together with all the facts in relation thereto.

Most of the companies mustered out of the State service, under the law of eighteen hundred and sixty-eight, were more or less deficient in ordnance and ordnance stores, and such companies were in all cases furnished with an itemized account of all deficiencies, with the Government price of each missing article annexed. By order of your Excellency, the clothing, in many instances, in consideration of long service and worn-out condition, was not charged, and amount of such articles as were not settled by affidavits as to loss or expenditure were, by consent of the late commanding officers of the delinquent companies, deducted from amount due said organizations for armory rents, rent and allowances. By this means the sum of five hundred and forty-six dollars and seventy cents was collected and placed to the credit of the Military Fund, to wit:

Name of Company.	Amount.
SECOND BRIGADE.	
Montgomery Guard, Company A, Second Irish Regiment.....	\$33 66
Wolf Tone Guard, Company D, Second Irish Regiment.....	3 30
Meagher Guard, Company E, Second Irish Regiment.....	4 31
Emmet Rifles, Company F, Second Irish Regiment.....	4 94
Emmet Life Guards, Company H, Second Irish Regiment....	18 56
Hugh O'Neal Guards, Company K, Second Irish Regiment.	16 93
Maine Prairie Rifles.....	29 50
Napa Rangers, Company H, First Cavalry.....	11 04
Santa Cruz Cavalry, Company E, First Cavalry.....	54 06
New Almaden Cavalry.....	15 06
Lincoln Cavalry.....	8 47
FIFTH BRIGADE.	
Siskiyou Light Guard.....	17 56
Lyon Light Infantry.....	24 15
Oroville Guard.....	72 81
Trinity Rifles.....	17 70
FOURTH BRIGADE.	
Georgetown Union Guard.....	35 47
Jackson Guard.....	17 37
Pacific Guard.....	27 09
National Guard (Downieville).....	70 76
THIRD BRIGADE.	
Calaveras Light Guard.....	47 99
Stockton City Guard.....	15 97
Total.....	\$546 70

In addition to this sum, there is yet due by the following organizations mustered out of the service under the military law of eighteen hundred and sixty-six, the several amounts opposite their names, and bills for collection of same from the bondsmen or commanders of said companies have been placed in the hands of the District Attorneys of the counties in which the said companies were located, and will be settled as speedily as possible.

Name of Company.	Amount.
Seward Guard, San Francisco County.....	\$30 47
California Fusiliers, San Francisco County.....	24 76
City Guard, San Francisco County.....	26 22
California Grenadiers, San Francisco County.....	8 68
Musketeers, San Francisco County.....	17 07
Ellsworth Zouave Cadets, San Francisco County.....	96 32
Liberty Guard, San Francisco County.....	266 46
Lincoln Guard, San Francisco County.....	250 38
Tittle Zouaves, San Francisco County.....	14 71
Tuolumne Guard, Tuolumne County.....	41 97
Grant Guard, Tuolumne County.....	22 16
Castoria Guard, Tuolumne County.....	8 87
Sigel Guard, Tuolumne County.....	7 27
Jamestown Guard, Tuolumne County.....	5 26
Redwood Cavalry, Santa Clara County.....	208 34
Gilroy Guard, Santa Clara County.....	41 35
San José Union Guard, Santa Clara County.....	25 69
Chico Light Infantry, Butte County.....	39 57
Oroville Guard, Butte County.....	37 38
Bangor Guard, Butte County.....	7 57
Halleck Rifles, Trinity County.....	76 66
Jefferson Cavalry, San Mateo County.....	111 83
Trueman Head Rifles, Shasta County.....	204 02
Marysville Union Guard, Yuba County.....	17 10
Mokelumne Hill Rifles Calaveras County.....	59 96
San Andreas Infantry, Calaveras County.....	42 60
Forest Rifles, Sierra County.....	34 21
Tulare Home Guard, Tulare County.....	134 24
Coulterville Rifles, Mariposa County.....	3 68
Total.....	\$1,864 80

I would call the particular attention of your Excellency to the request of Brigadier-General John Hewston, Jr., commanding the Second Brigade, that some provision be made for the payment of the Assistant Adjutant-General of the Second Brigade, a salary for the performance of the duties of a clerk at Brigade Headquarters. This brigade, embracing as it does the City and County of San Francisco, is the largest and most important in the State, three-fourths of the entire National Guard being located in that city.

The duties of the Assistant Adjutant-General are necessarily arduous. This officer should be considered in active service, devoting his entire time to brigade matters, and draw from the State pay as provided by law for officers and troops in active duty, and I feel confident, in consideration of the foregoing facts, your Excellency will so recommend to the Legislature.

Pursuant to special order number sixty, General Headquarters, State of California, of date December twenty-first, eighteen hundred and sixty-eight, and the recommendation of Brigadier-General Josiah Howell,

commanding Fourth Brigade, N. G. C., and Inspector of State Armory,
to wit:

- 2,456 uniform coats,
- 1,922 uniform pants,
- 2,872 uniform hats and caps,
- 90 uniform blouses,
- 185 assorted tents,
- 1 lot of camp kettles and stools,
- 1 lot of mess and bread pans,
- 1 lot of tin and wooden buckets,
- 1 lot of tin cups and plates,
- 1 lot of meat and fry pans,
- 1 lot of knives, forks, spoons, etc.,

Were sold at public auction on the twelfth day of January, eighteen hundred and sixty-nine; and the net proceeds arising from this sale amounted to three thousand seven hundred and seventeen dollars and seven cents.

All of which is respectfully submitted.

Very respectfully, etc.,

Your obedient servant,

JAMES M. ALLEN,
Adjutant-General, California.

APPROPRIATIONS AND EXPENDITURES

OF

ADJUTANT-GENERAL'S OFFICE,

FOR A

PORTION OF THE NINETEENTH, THE WHOLE OF THE TWENTIETH, AND A
PORTION OF THE TWENTY-FIRST FISCAL YEARS,

COMMENCING NOVEMBER 1, 1867, AND ENDING OCTOBER 31, 1869.

NINETEENTH FISCAL YEAR.

SALARY OF ADJUTANT-GENERAL.

Nov. 1, 1867..	Balance in fund.....		\$2,000 00
Nov. 30, 1867	Certified to Geo. S. Evans, month of November, 1867	\$250 00	
Dec. 31, 1867	Certified to Geo. S. Evans, month of December, 1867.....	250 00	
Jan. 31, 1868	Certified to Geo. S. Evans, month of January, 1868.....	250 00	
Mar. 3, 1868	Certified to Geo. S. Evans, month of February, 1868.....	250 00	
Mar. 31, 1868	Certified to Geo. S. Evans, month of March, 1868.....	250 00	
April 30, 1868	Certified to Geo. S. Evans, month of April, 1868.....	250 00	
May 31, 1868	Certified to Jas. M. Allen, month of May, 1868.....	250 00	
June 30, 1868	Certified to Jas. M. Allen, month of June, 1868.....	250 00	
		\$2,000 00	\$2,000 00

PAY OF CLERKS.

Nov. 1, 1867	Balance in fund.....		\$4,233 33
Nov. 30, 1867	Certified to Wm. L. Ustick, month of November, 1867.....	\$166 66 $\frac{2}{3}$	
Nov. 30, 1867	Certified to Chas. J. Robinson, month of November, 1867.....	150 00	
Nov. 30, 1867	Certified to Geo. S. Evans (extra clerk hire), month of Nov., 1867	50 00	
Nov. 30, 1867	Certified to F. O. Haswell, Clerk (six days), month of Nov., 1867..	30 00	
Dec. 31, 1867	Certified to Wm. L. Ustick, month of December, 1867.....	166 66 $\frac{2}{3}$	
Dec. 31, 1867	Certified to Chas. J. Robinson, month of December, 1867.....	150 00	
Jan. 31, 1868	Certified to Wm. L. Ustick, month of January, 1868.....	166 66 $\frac{2}{3}$	
Jan. 31, 1868	Certified to Chas. J. Robinson, month of January, 1868.....	150 00	
March 3, 1868	Certified to Wm. L. Ustick, month of February, 1868.....	166 66 $\frac{2}{3}$	
March 3, 1868	Certified to Chas. J. Robinson, month of February, 1868	150 00	
Mar. 31, 1868	Certified to Wm. L. Ustick, month of March, 1868.....	166 66 $\frac{2}{3}$	
Mar. 31, 1868	Certified to Chas. J. Robinson, month of March, 1868.....	150 00	
April 30, 1868	Certified to Wm. L. Ustick, month of April, 1868.....	166 66 $\frac{2}{3}$	
April 30, 1868	Certified to Chas. J. Robinson, month of April, 1868.....	150 00	
May 31, 1868	Certified to Wm. W. Elliott, month of May, 1868.....	166 66 $\frac{2}{3}$	
May 31, 1868	Certified to Chas. J. Robinson, month of May, 1868.....	150 00	
June 30, 1868	Certified to Wm. W. Elliott, month of June, 1868.....	166 66 $\frac{2}{3}$	
June 30, 1868	Certified to Chas. J. Robinson, month of June, 1868	150 00	
June 30, 1868	Certified to Alfred Estell, month of June, 1868	150 00	
June 30, 1868	Balance in fund.....	1,470 00	
		\$4,233 33	\$4,233 33

RENT OF STATE ARSENAL.

Nov. 1, 1867	Balance in fund.....	.....	\$400 00
Nov. 30, 1867	Certified to A. C. Sweetser, agent, month of November, 1867.....	\$50 00	
Dec. 31, 1867	Certified to A. C. Sweetser, agent, month of December, 1867.....	50 00	
Jan. 31, 1868	Certified to A. C. Sweetser, agent, month of January, 1868.....	50 00	
Mar. 3, 1868	Certified to A. C. Sweetser, agent, month of February, 1868.....	50 00	
Mar. 31, 1868	Certified to A. C. Sweetser, agent, month of March, 1868.....	65 00	
April 30, 1868	Certified to A. C. Sweetser, agent, month of April, 1868.....	65 00	
May 31, 1868	Certified to A. C. Sweetser, agent, month of May, 1868.....	65 00	
June 30, 1868	Certified to A. C. Sweetser, agent, month of June, 1868	5 00	
		\$400 00	\$400 00

RENT OF OFFICE.

Nov. 1, 1867	Balance in fund.....	.....	\$420 00
Nov. 30, 1867	Certified to D. Kendall, agent, month of November, 1867.....	\$45 00	
Dec. 31, 1867	Certified to D. Kendall, agent, month of December, 1867.....	45 00	
Jan. 31, 1868	Certified to D. Kendall, agent, month of January, 1868.....	45 00	
Mar. 3, 1868	Certified to D. Kendall, agent, month of February, 1868.....	45 00	
Mar. 31, 1868	Certified to D. Kendall, agent, month of March, 1868.....	45 00	
April 30, 1868	Certified to D. Kendall, agent, month of April, 1868.....	45 00	
May 31, 1868	Certified to D. Kendall, agent, month of May, 1868.....	45 00	
June 30, 1868	Certified to D. Kendall, agent, month of June, 1868.....	45 00	
July 10, 1868	Certified to A. C. Sweetser, agent, balance of rent State Arsenal, June, 1868.....	60 00	
		\$420 00	\$420 00

CLEANING, REPAIRING AND TRANSPORTATION OF ARMS, ETC.

Nov. 1, 1867	Balance in fund.....		\$1,375 90
Nov. 29, 1867	Certified to Thomas C. May.....	\$13 00	
Dec. 30, 1867	Certified to schooner "General Sigel"	38 50	
Dec. 30, 1867	Certified to steamer "Flora"	32 36	
Jan. 28, 1868	Certified to California Steam Navigation Company.....	70 57	
Jan. 28, 1868	Certified to John Schade.....	144 00	
Jan. 28, 1868	Certified to Wells, Fargo & Company	25 00	
Jan. 28, 1868	Certified to Wells, Fargo & Company	9 90	
Feb. 13, 1868	Certified to California Steam Navigation Company.....	2 75	
Feb. 13, 1868	Certified to California Steam Navigation Company.....	11 75	
Feb. 26, 1868	Certified to F. Bray.....	10 00	
Feb. 26, 1868	Certified to Josiah Howell.....	13 00	
Feb. 26, 1868	Certified to Sheldon Burton.....	37 50	
Feb. 26, 1868	Certified to Wells, Fargo & Company.....	25 00	
Mar. 27, 1868	Certified to Thomas C. May.....	37 00	
Mar. 27, 1868	Certified to John Schade.....	102 00	
Mar. 27, 1868	Certified to Central Pacific Railroad Company, charges on arms.....	22 00	
Apr. 13, 1868	Certified to John Schade.....	24 00	
Apr. 13, 1868	Certified to Wells, Fargo & Company.....	25 00	
Apr. 27, 1868	Certified to California Steam Navigation Company.....	25 00	
Apr. 27, 1868	Certified to Thomas C. May.....	11 00	
Apr. 30, 1868	Certified to John Schade.....	96 00	
Apr. 30, 1868	Certified to California Steam Navigation Company.....	82 50	
May 13, 1868	Certified to Thomas C. May.....	2 00	
May 27, 1868	Certified to California Steam Navigation Company.....	42 50	
May 27, 1868	Certified to California Steam Navigation Company.....	91 60	
June 15, 1868	Certified to California Steam Navigation Company.....	104 50	
June 18, 1868	Certified to John Schade.....	210 50	
June 27, 1868	Certified to Thomas C. May.....	33 00	
June 30, 1868	Balance in fund.....	13 97	
		\$1,375 90	\$1,375 90

POSTAGE, EXPRESSAGE AND TELEGRAPHING.

Nov. 1, 1867	Balance in fund.....		\$266 00
April 27, 1868	Certified to George Rowland.....	\$65 00	
May 12, 1868	Certified to James M. Allen*.....	201 00	
		<hr/> \$266 00	<hr/> \$266 00

* Expended for contingent expenses, stamps, expressage, etc., and unpaid bills of predecessor in office.

PAY OF PORTER.

Nov. 1, 1867	Balance in fund.....		\$200 00
Nov. 30, 1867	Certified to Wm. Kibbe, month of November, 1867.....	\$25 00	
Dec. 31, 1867	Certified to Wm. Kibbe, month of December, 1867.....	25 00	
Jan. 31, 1868	Certified to Wm. Kibbe, month of January, 1868.....	25 00	
March 3, 1868	Certified to Wm. Kibbe, month of February, 1868	25 00	
Mar. 31, 1868	Certified to Wm. Kibbe, month of March, 1868.....	25 00	
Apr. 20, 1868	Certified to Wm. Kibbe, month of April, 1868.....	25 00	
May 31, 1868	Certified to Wm. Kibbe, month of May, 1868.....	25 00	
June 30, 1868	Certified to Wm. Kibbe, month of June, 1868	25 00	
		<hr/> \$200 00	<hr/> \$200 00

TWENTIETH FISCAL YEAR:

SALARY OF ADJUTANT-GENERAL.

July 1, 1868	Amount of appropriation.....		\$3,000 00
July 31, 1868	Certified to Jas. M. Allen, month of July, 1868.....	\$250 00	
Aug. 31, 1868	Certified to Jas. M. Allen, month of August, 1868.....	250 00	
Sept. 30, 1868	Certified to Jas. M. Allen, month of September, 1868.....	250 00	
Oct. 31, 1868	Certified to Jas. M. Allen, month of October, 1868	250 00	
Nov. 30, 1868	Certified to Jas. M. Allen, month of November, 1868.....	250 00	
Dec. 31, 1868	Certified to Jas. M. Allen, month of December, 1868	250 00	
Jan. 31, 1869	Certified to Jas. M. Allen, month of January, 1869.....	250 00	
Feb. 29, 1869	Certified to Jas. M. Allen, month of February, 1869.....	250 00	
Mar. 31, 1869	Certified to Jas. M. Allen, month of March, 1869.....	250 00	
April 30, 1869	Certified to Jas. M. Allen, month of April, 1869.....	250 00	
May 31, 1869	Certified to Jas. M. Allen, month of May, 1869.....	250 00	
June 30, 1869	Certified to Jas. M. Allen, month of June, 1869.....	250 00	
		\$3,000 00	\$3,000 00

PAY OF CLERKS.

July 1, 1868	Amount of appropriation.....		\$1,800 00
July 31, 1868	Certified to Wm. W. Elliott, month of July, 1868.....	\$166 67	
Aug. 31, 1868	Certified to Wm. W. Elliott, month of August, 1868.....	166 67	
Sept. 30, 1868	Certified to Wm. W. Elliott, month of September, 1868.....	166 67	
Oct. 31, 1868	Certified to Wm. W. Elliott, month of October, 1868.....	83 33	
Oct. 31, 1868	Certified to H. Boice, month of Octo- ber, 1868.....	83 34	
Nov. 30, 1868	Certified to H. Boice, month of No- vember, 1868.....	166 67	
Dec. 31, 1868	Certified to H. Boice, month of De- cember, 1868.....	166 67	
Jan. 31, 1869	Certified to H. Boice, month of Jan- uary, 1869.....	166 67	
Feb. 29, 1869	Certified to H. Boice, month of Feb- ruary, 1869.....	166 67	
Mar. 31, 1869	Certified to H. Boice, month of March, 1869.....	166 67	
April 30, 1869	Certified to H. Boice, month of April, 1869.. ..	166 67	
May 31, 1869	Certified to H. Boice, month of May, 1869.....	133 30	
		\$1,800 00	\$1,800 00

Deficiency, twentieth fiscal year, two thousand dollars.

RENT OF STATE ARSENAL.

July 1, 1868	Amount of appropriation.....		\$780 00
Aug. 31, 1868	Certified to A. C. Sweetser, agent, month of July, 1868.....	\$80 00	
Aug. 31, 1868	Certified to A. C. Sweetser, agent, month of August, 1868.....	80 00	
Sept. 30, 1868	Certified to A. C. Sweetser, agent, month of September, 1868.....	80 00	
Oct. 31, 1868	Certified to A. C. Sweetser, agent, month of October, 1868.....	80 00	
Nov. 30, 1868	Certified to A. C. Sweetser, agent, month of November, 1868.....	80 00	
Dec. 31, 1868	Certified to A. C. Sweetser, agent, month of December, 1868.....	80 00	
Jan. 31, 1869	Certified to A. C. Sweetser, agent, month of January, 1869.....	80 00	
Feb. 29, 1869	Certified to A. C. Sweetser, agent, month of February, 1869.....	80 00	
Mar. 31, 1869	Certified to A. C. Sweetser, agent, month of March, 1869.....	80 00	
April 30, 1869	Certified to A. C. Sweetser, agent, month of April, 1869.....	60 00	
		\$780 00	\$780 00

Balance of rent for State Arsenal, months of April, May and June, twentieth fiscal year, amounting to the sum of one hundred and eighty dollars, certified out of Military Fund.

RENT OF OFFICE.

July, 1, 1868	Amount of appropriation.....	.....	\$500 00
Aug. 31, 1868	Certified to D. Kendall, agent, month of July, 1868	\$41 66	
Aug. 31, 1868	Certified to D. Kendall, agent, month of August, 1868.....	41 66	
Sept. 30, 1868	Certified to D. Kendall, agent, month of September, 1868.....	41 66	
Oct. 31, 1868	Certified to D. Kendall, agent, month of October, 1868.....	41 66	
Nov. 30, 1868	Certified to D. Kendall, agent, month of November, 1868.....	41 66	
Dec. 31, 1868	Certified to D. Kendall, agent, month of December, 1868.....	41 66	
Jan. 31, 1869	Certified to D. Kendall, agent, month of January, 1869	41 66	
Feb. 29, 1869	Certified to D. Kendall, agent, month of February, 1869	41 66	
Mar. 31, 1869	Certified to D. Kendall, agent, month of March, 1869	41 66	
April 30, 1869	Certified to D. Kendall, agent, month of April, 1869.....	41 70	
May 31, 1869	Certified to D. Kendall, agent, month of May, 1869.....	41 66	
June 30, 1869	Certified to D. Kendall, agent, month of June, 1869.....	41 70	
		\$500 00	\$500 00

CLEANING, REPAIRING, AND TRANSPORTATION OF ARMS, ETC.

July 1, 1868	Amount of appropriation.....		\$1,000 00
July 10, 1868	Certified to John Schade.....	\$60 00	
July 10, 1868	Certified to E. Jacobs	10 00	
July 10, 1868	Certified to James M. Allen	84 50	
July 10, 1868	Certified to Wells, Fargo & Co.....	69 00	
July 10, 1868	Certified to Wells, Fargo & Co.....	7 75	
July 10, 1868	Certified to W. A. Anderson.....	41 55	
July 10, 1868	Certified to California Steam Navigation Company.....	47 00	
July 10, 1868	Certified to steamer "Victor".....	63 00	
July 10, 1868	Certified to California Steam Navigation Company.....	9 25	
July 10, 1868	Certified to California Steam Navigation Company	48 45	
July 31, 1868	Certified to W. A. Anderson	15 00	
July 31, 1868	Certified to John Couyler.....	54 00	
July 31, 1868	Certified to J. W. Bagley.....	18 00	
July 31, 1868	Certified to California Steam Navigation Company.....	173 86	
July 31, 1868	Certified to California Steam Navigation Company.....	4 50	
Oct. 31, 1868	Certified to James Edgar.....	57 50	
Oct. 31, 1868	Certified to A. Koppikus.....	156 00	
Oct. 31, 1868	Certified to J. P. Jackson.....	17 18	
June 30, 1869	Balance in fund	63 46	
		\$1,000 00	\$1,000 00

In addition to the foregoing there has been audited upon the Military Fund the following claims, for cleaning and transportation of arms:

Oct. 31, 1868	California Steam Navigation Company.....	\$83 80
Nov. 12, 1858	Bowman & Lockwood.....	9 64
Nov. 12, 1868	A. Koppikus.....	286 00
Jan. 4, 1869	Thomas C. May.....	25 00
Jan. 14, 1869	Thomas C. May.....	15 00
Jan. 14, 1869	R. O. Cunningham.....	10 00
Jan. 14, 1869	W. H. Giles.....	35 00
Jan. 30, 1869	Thomas C. May.....	46 00
Jan. 30, 1869	Steamer Chrysopolis.....	5 50
Jan. 30, 1869	Central Pacific Railroad, charges on arms, Yuba Railroad.....	62 37
May 31, 1869	Steamer Capital.....	8 75
May 31, 1869	Steamer Victor.....	30 50
		<hr/> \$617 56

POSTAGE, EXPRESSAGE AND TELEGRAPHING.

July 1, 1868	Amount of appropriation.....	.....	\$300 00
	Certified to James M. Allen*	\$300 00	
		<hr/> \$300 00	<hr/> \$300 00

* Expended as above.

CONTINGENT EXPENSES.

July 1, 1868	Amount of appropriation.....	.....	\$300 00
July 31, 1868	Certified to George Hall, porter, month of July, 1868.....	25 00	
Aug. 31, 1868	Certified to George Hall, porter, month of August, 1868.....	25 00	
Sept. 30, 1868	Certified to George Hall, porter, month of September, 1868.....	25 00	
Oct. 30, 1868	Certified to George Hall, porter, month of October, 1868.....	25 00	
Nov. 12, 1868	Certified to James M. Allen*.....	200 00	
		<hr/> \$300 00	<hr/> \$300 00

* Expended for porter, etc.

TWENTY-FIRST FISCAL YEAR.

SALARY OF ADJUTANT-GENERAL.

July 1, 1869	Amount of appropriation.....		\$3,000 00
July 31, 1869	Certified to James M. Allen, month of July, 1869.....	\$250 00	
Aug. 31, 1869	Certified to James M. Allen, month of August, 1869.....	250 00	
Sept. 30, 1869	Certified to James M. Allen, month of September, 1869.....	250 00	
Oct. 31, 1869	Certified to James M. Allen, month of October, 1869.....	250 00	
Nov. 1, 1869	Balance in fund.....	2,000 00	
		<u>\$3,000 00</u>	<u>\$3,000 00</u>

PAY OF CLERKS.

July 1, 1869	Amount of appropriation.....		\$1,800 00
July 31, 1869	Certified to H. Boice, month of July, 1869.....	166 67	
Aug. 31, 1869	Certified to H. Boice, month of August, 1869.....	166 67	
Sept. 30, 1869	Certified to H. Boice, month of September, 1869.....	166 67	
Oct. 31, 1869	Certified to Maze Edwards, month of October, 1869.....	166 66	
Nov. 1, 1869	Balance in fund.....	1,133 33	
		<u>\$1,800 00</u>	<u>\$1,800 00</u>

RENT OF STATE ARSENAL.

July 1, 1869	Amount of appropriation.....		\$780 00
July 31, 1869	Certified to Sweetser & Alsip, agents, month of July, 1869..	\$80 00	
Aug. 31, 1869	Certified to Sweetser & Alsip, agents, month of August, 1869.....	80 00	
Sept. 30, 1869	Certified to Sweetser & Alsip, agents, month of September, 1869.....	80 00	
Oct. 31, 1869	Certified to Sweetser & Alsip, agents, month of October, 1869.....	80 00	
Nov. 1, 1869	Balance in fund.....	460 00	
		<hr/> \$780 00	<hr/> \$780 00

RENT OF OFFICE.

July 1, 1868	Amount of appropriation.....		\$500 00
July 31, 1869	Certified to W. C. Felch, agent, month of July, 1869.....	\$41 67	
Aug. 31, 1869	Certified to W. C. Felch, agent, month of August, 1869.....	41 67	
Sept. 30, 1869	Certified to W. C. Felch, agent, month of September, 1869.....	41 67	
Oct. 31, 1869	Certified to W. C. Felch, agent, month of October, 1869.....	41 67	
Nov. 1, 1869	Balance in fund.....	333 32	
		<hr/> \$500 00	<hr/> \$500 00

CLEANING, REPAIRING AND TRANSPORTATION OF ARMS, ETC.

July 1, 1869	Amount of appropriation.....		\$1,000 00
July 31, 1869	Certified to J. W. McKenzie.....	\$85 25	
July 31, 1869	Certified to A. Koppikus.....	194 00	
July 31, 1869	Certified to California Steam Navigation Company.....	18 00	
July 31, 1869	Certified to John Masterson.....	8 00	
July 31, 1869	Certified to H. W. Higgins.....	1 60	
Aug. 31, 1869	Certified to California Steam Navigation Company.....	3 00	
Aug. 31, 1869	Certified to Thos. E. May.....	17 50	
Aug. 31, 1869	Certified to A. Koppikus.....	63 00	
Sept. 30, 1869	Certified to A. Koppikus.....	183 00	
Sept. 30, 1869	Certified to Jas. M. Allen.....	23 00	
Sept. 30, 1869	Certified to John Perry.....	22 00	
Oct. 30, 1869	Certified to L. E. Chicard & Co.....	228 00	
Oct. 30, 1869	Certified to A. Koppikus.....	36 00	
Oct. 30, 1869	Certified to Western Pacific Railroad.....	75 00	
Nov. 1, 1869	Balance on hand.....	42 65	
		<u>\$1,000 00</u>	<u>\$1,000 00</u>

POSTAGE, EXPRESSAGE AND TELEGRAPHING.

July 1, 1869	Amount of appropriation.....		\$300 00
	Certified to Jas M. Allen.....	\$300 00	
		<u>\$300 00</u>	<u>\$300 00</u>
	Expended.....	\$110 00	
Nov. 1, 1869	Balance on hand.....	190 00	
		<u>\$300 00</u>	<u>\$300 00</u>

CONTINGENT EXPENSES.

July 1, 1869	Amount of appropriation.....		\$300 00
	Certified to Jas. M. Allen.....	\$300 00	
		<u>\$300 00</u>	<u>\$300 00</u>
	Expended.....	\$100 00	
Nov. 1, 1869	Balance on hand.....	200 00	
		<u>\$300 00</u>	<u>\$300 00</u>

REPORT
OF
ORDNANCE AND ORDNANCE STORES

RECEIVED, ISSUED AND REMAINING ON HAND,

FROM NOVEMBER 1, 1867, TO NOVEMBER 1, 1869.

ORDNANCE, ORDNANCE STORES AND CLOTHING

Received from Infantry Companies since last report.

FROM WHOM RECEIVED.	Company	Regiment or battalion ...	Brigade.....	Rifle muskets.....	Bayonets.....	Bayonet scabbards.....	Cartridge boxes and plates.....	Cartridge box belts and plates.....	Waist belts and plates...	Cap boxes and picks.....	Gun slings.....	Screwdrivers	Wipers.....	Tompions.....	Extra cones.....
Woodland Guard.....	G	4th	4th	80	80	80	80	78	72	77	77	65	56	46	71
Union Guard (Copperopolis) .....	.....	.....	3d	60	60	60	60	60	60	60	53	45	55	32	60
Union Guard (Campo Seco).....	.....	.....	3d	40	40	40	40	40	40	40	39	32	17	7	30
Angels Guard.....	.....	.....	3d	60	60	60	60	60	60	.....	.....	59	58	55	59
Russian River Rifles.....	.....	.....	2d	70	70	70	70	70	70	69	67	70	45	22	67
Oroville Guard .....	.....	.....	5th	70	70	70	70	30	70	66	58	15	6	10	34
Georgetown Union Guard.....	.....	.....	4th	79	79	79	77	77	78	78	77	75	71	35	66
Auburn Grays .....	.....	.....	4th	70	68	66	65	65	61	65	58	62	51	35	68
Alviso Rifles .....	.....	.....	2d	59	59	60	60	47	60	56	57	47	26	11	40
Voleano Blues.....	C	4th	4th	70	69	70	70	69	70	70	69	63	21	34	70
Pacific Guard.....	F	5th	4th	79	79	80	79	78	78	79	58	58	39	.....	70
Alvarado Guard.....	.....	.....	2d	59	58	59	58	33	57	57	37	25	.....	16	46
Lyon Light Infantry.....	.....	.....	5th	70	70	70	70	70	67	70	70	55	34	30	21
Maine Prairie Rifles.....	.....	.....	2d	60	60	60	60	60	60	60	57	58	60	59	11
Jackson Guard.....	H	4th	4th	60	60	58	58	60	58	56	60	47	34	31	59
Calaveras Light Guard.....	.....	.....	3d	60	60	60	60	58	60	60	60	53	44	60	50
La Porte Guard .....	.....	.....	5th	58	60	60	60	60	60	60	56	24	14	15	25
National Guard (Downieville).....	.....	.....	4th	59	58	58	59	58	60	54	57	28	8	15	28
Siskiyou Light Guard.....	.....	.....	5th	70	70	70	70	69	70	67	67	65	67	60	62
Tuolumne Guard (Columbia).....	.....	.....	3d	80	80	80	80	80	80	80	78	77	74	78	79
McKenzie Guard.....	F	2d	2d	79	80	67	80	80	64	67	78	.....	1	.....	.....
Emmet Guard.....	E	4th	4th	58	53	48	51	93	42	56	.....	.....	.....	.....	.....
Trinity Rifles.....	.....	.....	5th	80	80	80	80	80	80	80	80	40	38	75	38

RECEIPT OF ORDNANCE, ORDNANCE STORES AND CLOTHING--Continued.

FROM WHOM RECEIVED.	Tumbler punches..	Ball screws.....	Spring vices.....	Swedges.....	Sergeants' swords	Sword belts and plates...	Extra main springs.	Extra sear springs.....	Extra tumbler screws....	Uniform coats	Uniform pants	Uniform hats.....	Uniform caps.....	Arm chests.....	Boxes.....	Cartridges.....
Woodland Guard.....	16	5	6	.....	.....	.....	20	19	15	79	70	76	.....	4	7	648
Union Guard (Copperopolis).....	17	5	3	.....	.....	.....	14	15	14	63	57	60	.....	3	3	460
Union Guard (Campo Seco).....	6	2	3	.....	4	.....	.....	.....	.....	51	48	49	.....	2	3	.....
Angels Guard.....	12	6	6	.....	.....	.....	15	15	12	58	52	58	.....	3	5	1,000
Russian River Rifles	12	4	3	.....	.....	.....	15	16	16	41	38	.....	.....	4	2	.....
Oroville Guard.....	3	.....	.....	.....	4	4	2	.....	.....	64	48	69	.....	4	3	.....
Georgetown Union Guard.....	15	6	4	.....	.....	.....	19	18	19	88	83	86	.....	5	5	.....
Autumn Grays	12	2	2	.....	3	4	17	17	17	53	56	58	.....	4	4	330
Alviso Rifles.....	6	1	1	.....	.....	.....	12	13	3	47	44	.....	.....	3	2	.....
Volcano Blues	11	4	4	.....	.....	.....	17	16	17	70	67	68	.....	4	3	.....
Pacific Guard.....	16	3	3	.....	.....	.....	19	17	17	80	70	77	.....	4	3	.....
Alvarado Guard.....	10	.....	3	.....	.....	.....	11	10	12	12	12	.....	.....	2	2	.....
Lyon Light Infantry	2	3	.....	.....	.....	.....	15	6	8	69	54	70	.....	4	4	.....
Maine Prairie Rifles.....	2	1	.....	.....	.....	.....	10	10	9	61	59	61	.....	2	2	.....
Jackson Guard.....	10	6	4	.....	.....	.....	14	15	15	57	50	58	.....	3	2	.....
Calaveras Light Guard.....	12	4	5	.....	.....	.....	8	.....	6	59	55	60	.....	2	.....	.....
La Porte Guard.....	6	2	2	.....	.....	.....	.....	.....	.....	70	59	.....	.....	3	.....	.....
National Guard (Downieville)	7	3	1	.....	.....	.....	.....	.....	.....	60	49	22	.....	.....	.....	.....
Siskiyou Light Guard	12	.....	1	.....	.....	.....	13	15	15	58	53	.....	.....	4	.....	.....
Tuolumne Guard (Columbia).....	14	6	.....	.....	5	.....	11	7	5	80	80	70	.....	4	1	.....
McKenzie Guard	8	.....	.....	.....	5	.....	.....	.....	.....	29	2	24	.....	4	.....	.....
Emmet Guard .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	42	36	.....	.....	.....	.....	.....
Trinity Rifles.....	8	4	4	.....	.....	.....	10	10	10	58	55	.....	.....	4	4	.....
Honey Lake Rangers .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	2	.....
Suisun Light Dragons.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Stockton City Guard.....	9	1	.....	.....	5	5	15	12	15	.....	47	79	1	3	7	250

ORDNANCE, ORDNANCE STORES AND CLOTHING,

Received from Cavalry and Artillery Companies since last report.

FROM WHOM RECEIVED.															
Company.....	Regiment or battalion...	Brigade.....	Saddles.....	Bridles.....	Breast straps and plates.	Sabres.....	Scabbards.....	Belts and plates.....	Knots	Pistols	Holsters	Wrenches.....	Extra cones.....	Bullet moulds.....	
E	1st	2d	38	38	30	50	50	48	43	47	44	29	38	15	
G	.....	4th	50	50	50	50	50	50	47	48	48	17	23	12	
F	1st	2d	35	55	55	50	50	49	47	47	48	30	31	17	
H	1st	2d	35	59	59	49	48	53	27	46	46	18	.....	5	
E	1st	2d	50	49	49	51	51	50	38	49	50	49	50	22	
H	1st	2d	13	13	13	.....	.....	2	.....	2	2	3	.....	.....
D	1st	2d	26	28	27	50	50	50	48	43	45	.....	.....	13	
D	.....	5th	12	6	.....	29	29	18	.....	.....	.....	.....	.....	.....
D	1st	2d	20	20	20	20	20	20	20	75	80	36	40	23	
.....	.....	4th	.....	.....	.....	25	25	25	.....	.....	.....	.....	.....	.....
.....	.....	4th	.....	.....	.....	80	80	80	.....	.....	.....	.....	.....	.....
.....	.....	3d	2	2	2	17	17	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	261	320	305	471	470	445	270	357	363	182	182	107	
Totals															

RECEIPT OF ORDNANCE, ORDNANCE STORES AND CLOTHING—Continued.

FROM WHOM RECEIVED.

FROM WHOM RECEIVED.	Halters.....	Nose bags.....	Whips.....	Harness for lead horses..	Harness for wheel horses..	Caissons.....	Field gun carriages	Accoutrements—sets of..	Twelve-p'der brass how- itzers and appendages.	Six-pounder brass guns —field pieces.....	Boxes	Arm chests.....	Uniform caps.....	Uniform hats.....	Uniform pants.....	Uniform coats.....	Totals
Santa Cruz Cavalry.....
Yolo Union Cavalry.....
New Almaden Cavalry.....	6	1	.....	.....	.....	.....	.....
Burnett Light Horse Guard..	7	1	30	.....	.....	.....	.....
Napa Rangers.....	9	1	.....	.....	.....	.....	.....
Santa Cruz Cavalry.....
Shusun Light Dragoons.....	2	2	.....	.....	.....	.....	.....
Honey Lake Rangers.....	1	.....	.....	.....	.....
Haight Light Horse Guard.....
Sacramento Light Artillery.....
Marysville Light Artillery.....
Stockton Light Artillery.....
Totals

TO WHOM ISSUED.

TO WHOM ISSUED.	Company.....	Regiment or battalion.....	Brigade.....	Rifles.....	Bayonets.....	Bayonet scabbards.....	Cartridge boxes and plates....	Cartridge-box belts and plates	Waist belts and plates.....	Cap boxes and picks.....	Gun slings.....	Screw drivers.....	Wipers.....	Tompions	Extra cones.....	Tumbler punches.....	Ball screws.....
Emmet Guard.....	E	1st Bat	2d	80	80	80	80	80	80	80	80	40	40	80	40	8	4
Sarsfield Guard.....	F	1st Bat	2d	100	100	100	100	100	100	100	100	50	100	100	50	20	10
Red Bluff Guard.....	A	.....	5th	60	60	60	60	60	60	60	60	10	10	60	60	.....	4
Nevada Light Infantry.....	.....	.....	4th	70	70	70	70	70	70	70	70	.....	.....	70	.....	.....	.....
Emmet Guard.....	.....	.....	4th	80	80	80	80	80	80	80	80	40	40	80	80	16	8
Germania Rifles.....	D	2d Bat	2d	60	60	60	60	60	60	60	60	60	60	60	60	30	10
Hewston Guard.....	.....	.....	2d	80	80	80	80	80	80	80	80	15	80	80	20	.....	.....
Frisbie Guard.....	.....	.....	2d	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lieutenant-Colonel John W. Winters	.....	.....	2d	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	.....	.....	.....	530	530	530	530	380	530	530	530	215	350	530	310	74	36

TO WHOM ISSUED.

TO WHOM ISSUED.	Spring vices.....	Sergeants' swords.....	Sword belts and plates.....	Extra main springs.....	Extra sear springs.....	Extra tumbler screws.....	Uniform coats.....	Uniform pants.....	Uniform hats.....	Arm chests.....	Boxes	Cartridges	Ammunition boxes.....	Sibley tents.....	Tent poles.....	Tent pins.....
Emmet Guard.....	4	4	4	10	10	10	80	80	100	4	5	.....	.....	.....	.....	.....
Sarsfield Guard.....	10	5	5	10	10	10	100	100	100	5	6	.....	.....	.....	.....	.....
Red Bluff Guard.....	2	5	5	15	15	15	60	60	60	3	2	1,000	1	.....	.....	.....
Nevada Light Infantry.....	.....	.....	.....	.....	.....	.....	80	80	.....	2	.....	.....	.....	.....	.....	.....
Emmet Guard.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Germania Rifles.....	8	.....	.....	20	20	20	60	60	.....	4	2	.....	.....	.....	.....	.....
Hewston Guard.....	4	.....	.....	20	20	20	60	60	.....	3	4	.....	.....	.....	.....	.....
Frisbie Guard.....	.....	4	.....	.....	.....	.....	.....	.....	.....	4	2	1,000	1	.....	.....	.....
Lieutenant-Colonel John W. Winters.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	28	13	9	75	75	75	280	280	100	23	23	2,000	2	16	16	350

RECAPITULATION.

Return of ordnance and ordnance stores received, issued and remaining on hand, since last report.

FOR THE YEAR ENDING NOVEMBER 1, 1869.			
Muskets and rifles assorted with accoutrements.....	1,816 85	1,901	
Rifles and accoutrements.....	892 60	952	
Rifle muskets and appendages.	2,570 4,300	6,870	
Cartridges filled for field guns.	..... 30	30	
Canister for field guns, filled and fixed.....	..... 48	48	
Shot for field guns, strapped and fixed.....	..... 48	48	
Solid shot for field guns.....	..... 28	28	
Travelling forges.....	..... 1	1	
Battery wagons.....	..... 1	1	
Caissons.....	1 18	19	
Field gun carriages.....	1 18	19	
Accoutrements—parts of sets..	1	1	
Accoutrements—complete sets of .....	..... 18	18	
Ten-pounder Parrott guns and appendages.....	..... 6	6	
Twelve-pounder brass howitzers—unserviceable.....	1	1	
Twelve-pounder brass howitzers and appendages.....	..... 4	4	
Six-pounder brass guns—field pieces .....	..... 8	8	
On hand, November 1, 1867.....	.....		85
Total issues to November 1, 1867.....	.....		1,816
Total to be accounted for.....	.....		1,901
Expended, lost or condemned.....	.....		60
In hands of companies and miscellaneous issues.....	.....		.....
Remaining on hand, November 1, 1869.....	.....		892
Totals .....	.....		952

NOTE.—Most of the ordnance and ordnance stores turned in was damaged and in bad condition.

FOR THE YEAR ENDING NOVEMBER 1, 1869.				
Shells for field guns, strapped and fixed.....	.....	10	10	10
Musket cartridges.....	3,658 17,800		21,458	
Halters.....	49 35		84	
Nose bags.....	2 146		148	
Whips.....	..... 86		86	
Spurs and straps.....	49 14		63	
Saddle blankets.....	..... 150		150	
Saddles.....	..... 499		499	
Bridles.....	..... 598		598	
Martingales.....	88 441		529	
Harness for two lead horses....	4 44		48	
Harness for two wheel horses..	2 40		42	
Artillery sabres for foot and accoutrements.....	100		100	
N. C. O. swords and accoutrements.....	7 114		121	
Cavalry sabres and accoutrements.....	83 571		654	
Starr's pistols and accoutrements.....	39 130		169	
Colt's pistols and accoutrements.....	281 594		875	
On hand, November 1, 1867.....	.....		
Total issues to November 1, 1867.....	.....		
Total to be accounted for.....	.....		
Expended, lost or condemned.....	32			10
In hands of companies and miscellaneous issues.....	205			.....
Remaining on hand, November 1, 1869.....	638			1,658
Totals.....	875			21,458

REPORT
OF
QUARTER MASTER-GENERAL
OF THE
STATE OF CALIFORNIA,

FOR PROPERTY RECEIVED, ISSUED AND REMAINING ON HAND FROM

NOVEMBER 1, 1867, TO NOVEMBER 1, 1869.

RETURN OF QUARTERMASTERS PROPERTY,

Received, issued and remaining on hand since last report.

	Meat pans.....	Coffee pots.....	Wooden buckets....	Tin buckets.....	Bread pans..	Mess pans.....	Camp kettles.....	Camp stools.....	Blankets.....	Uniform caps.....	Uniform hats.....	Uniform blouses....	Uniform pants.....	Uniform coats.....	Tent pins, extra....	Storm flags.....	Garrison flags.....	Wall tent poles and pins	Wall tent flies.....	Wall tents.....	Sibley tent poles ...	Sibley tents.....	Hospital tent poles.	Hospital tents.....
FOR THE YEAR ENDING NOV. 1, 1869.	20	52	152	2	450	1043	292	30	6	.....	33	98	531	845	570	1	1	76	76	76	198	198	6	6
On hand November 1, 1867.....	12	.....	12	.....	15	.....	.....	.....	.....	.....	2465	.....	4637	4622	1615	.....	.....	2	2	2	10	10	.....	.....
Total issues to November 1, 1867.....	12	.....	12	.....	15	.....	.....	.....	.....	.....	2465	.....	4637	4622	1615	.....	.....	2	2	2	10	10	.....	.....
Total to be accounted for.....	132	52	164	2	465	1043	292	30	6	1883	2498	98	5168	5467	2185	1	1	78	78	78	208	208	6	6
Expended, sold and condemned.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Miscellaneous issues and in companies' hands.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Remaining on hand November 1, 1869..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	132	52	164	2	465	1043	292	30	6	1883	2498	98	5168	5467	2185	1	1	78	78	78	208	208	6	6

RETURN OF QUARTERMASTER'S PROPERTY—Continued.

FOR THE YEAR ENDING NOV. 1, 1869.		Forks.....	Knives.....	Candlebras.....	Pepper boxes.....	Frying pans.....	Mallets.....	Axe handles.....	Picket pins.....	Hatchet handles...	Hatchets.....	Shovels	Spades.....	Axes.....	Pickaxe handles...	Pickaxes.....	Rope, coils of.....	Teaspoons.....	Table spoons.....	Wash basins.....	Tin lanterns.....	Molasses cups.....	Tin plates.....	Tin cups
On hand November 1, 1867.....		1368	2523	153	47	136	1007	1110	2	7	6	26	4	2	16	2	4	30	21	310	103	196	923	818
Total issues to November 1, 1867.....		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	43
Total to be accounted for...		1368	2523	153	54	136	1007	1110	2	7	6	26	4	2	16	2	4	30	21	310	105	196	923	861
Expended, sold and condemned		1368	2523	153	54	136	1007	1110	2	7	6	26	4	2	16	2	4	30	21	310	105	196	923	861
Miscellaneous issues and in companies' hands .....		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Remainng on hand November 1, 1869...		.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....		1368	2523	153	54	136	1007	1110	2	7	6	26	4	2	16	2	4	30	21	310	105	196	923	861



A LIST
OF THE
ENROLLED MILITIA OF THE STATE,
AS PER
RETURNS OF COUNTY CLERKS.

ENROLLED MILITIA OF THE STATE FOR 1869.

Per Returns of County Clerks.

Alameda County.....	2,907
Alpine County.....	228
Amador County.....	1,884
Butte County.....	2,329
Calaveras County.....	2,239
Colusa County.....	1,188
Contra Costa County.....	2,136
Del Norte County.....	302
El Dorado County.....	1,589
Fresno County.....	439
Humboldt County	916
Inyo County.....	177
Kern County.....	660
Klamath County.....	394
Lake County.....	670
Lassen County.....	285
Los Angeles County.....	1,600
Marin County.....	795
Mariposa County.....	907
Mendocino County.....	1,099
Merced County.....	251
Mono County.....	153
Monterey County.....	1,060
Napa County.....	1,178
Nevada County.....	5,875
Placer County.....	2,135
Plumas County.....	1,110
Sacramento County.....	5,300
San Bernardino County.....	448
San Diego County.....	309
San Francisco County.....	18,504
Carried forward.....	60,069

LIST OF ENROLLED MILITIA—Continued.

Brought forward.....	60,069
San Joaquin County.....	3,056
San Luis Obispo County.....	397
San Mateo County.....	954
Santa Barbara County.....	695
Santa Clara County.....	3,035
Santa Cruz County.....	1,344
Shasta County.....	891
Sierra County.....	2,026
Siskiyou County.....	1,546
Solano County.....	1,824
Sonoma County.....	3,100
Stanislaus County.....	1,577
Sutter County.....	948
Tehama County.....	720
Trinity County.....	691
Tulare County.....	751
Tuolumne County.....	1,385
Yolo County.....	1,752
Yuba County.....	2,343
Total.....	87,092

A LIST
OF
COMMISSIONS ISSUED TO OFFICERS
OF THE
NATIONAL GUARD OF CALIFORNIA.

COMMISSIONS ISSUED.

- Andross, Moses C.—Major and Assistant Adjutant-General on Staff of Brigadier-General Davies, commanding Third Brigade. Rank from June seventeenth, eighteen hundred and sixty-eight. Commissioned June nineteenth, eighteen hundred and sixty-eight, vice Holton, resigned.
- Anderson, William A.—Major and Assistant Adjutant-General on Staff of Brigadier-General Howell, commanding Fourth Brigade. Rank from August first, eighteen hundred and sixty-seven. Commissioned June fourth, eighteen hundred and sixty-eight, vice Pomeroy, deceased.
- Auer, Charles—First Lieutenant, Company A, City Guard, Fourth Regiment, Fourth Brigade. Rank from September twelfth, eighteen hundred and sixty-eight. Commissioned October fifth, eighteen hundred and sixty-eight, to fill vacancy caused by resignation.
- Armstrong, Thomas—Second Lieutenant, Emmet Guard, unattached, Fourth Brigade. Rank from March twenty-seventh, eighteen hundred and sixty-nine. Commissioned April first, eighteen hundred and sixty-nine.
- Armstrong, John—Captain, Hewston Guards, unattached, Second Brigade. Rank from June twenty-ninth, eighteen hundred and sixty-nine. Commissioned July first, eighteen hundred and sixty-nine.
- Acton, William—Second Lieutenant, Hewston Guards, unattached, Second Brigade. Rank from June twenty-ninth, eighteen hundred and sixty-nine. Commissioned July first, eighteen hundred and sixty-nine.
- Adel, Wilmer T.—First Lieutenant, San José Zouaves, unattached, Second Brigade. Rank from September twenty-first, eighteen hundred and sixty-nine. Commissioned September twenty-fourth, eighteen hundred and sixty-nine, vice Black, term expired.
- Bluxome, Isaac—Captain, First California Guard, unattached Artillery, Second Brigade. Rank from June fifth, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice Brannan, resigned.
- Barron, Cornelius—Second Lieutenant, Company H, California Tigers, First Infantry, Second Brigade. Rank from April eighteenth,

- eighteen hundred and sixty-eight. Commissioned May seventh, eighteen hundred and sixty-eight, vice Gorman, resigned.
- Birdsell, George W.—Captain, Company G, Eureka Guard, Second Infantry, Second Brigade. Rank from May fifth, eighteen hundred and sixty-eight. Commissioned June ninth, eighteen hundred and sixty-eight, vice Harrington, resigned.
- Black, Alexander S.—First Lieutenant, Company B, San José Zouaves, Fifth Infantry Battalion, Second Brigade. Rank from July twenty-first, eighteen hundred and sixty-eight. Commissioned August twenty-fifth, eighteen hundred and sixty-eight, vice Campbell, promoted.
- Bolster, Thomas—Second Lieutenant, Company A, Montgomery Guard, First Battalion Infantry, Second Brigade. Rank from May seventh, eighteen hundred and sixty-eight. Commissioned September fourteenth, eighteen hundred and sixty-eight, vice Egan, promoted Captain, Company D.
- Burrell, Alfred W.—Second Lieutenant, Oakland Guard, Second Brigade. Rank from September ninth, eighteen hundred and sixty-eight. Commissioned September twenty-fifth, eighteen hundred and sixty-eight, vice Chase, term expired.
- Bronson, John F.—First Lieutenant and Adjutant, First Infantry, Second Brigade. Rank from August third, eighteen hundred and sixty-eight. Commissioned October fifteenth, eighteen hundred and sixty-eight, vice Wood, resigned.
- Brown, William B.—Senior Second Lieutenant, Haight Light Horse Guard, Company D, First Battalion Cavalry, Second Brigade. Rank from October twenty-ninth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight.
- Boice, Nathaniel—Major and Assistant Adjutant-General of the State of California. Rank from October thirteenth, eighteen hundred and sixty-eight. Commissioned October thirteenth, eighteen hundred and sixty-eight, vice Elliott, resigned.
- Breeze, Charles K.—First Lieutenant and Surgeon, First Battalion Cavalry, Second Brigade. Rank from November twentieth, eighteen hundred and sixty-eight. Commissioned November twenty-seventh, eighteen hundred and sixty-eight.
- Boop, J. D.—Captain, Placerville City Guards, unattached, Fourth Brigade. Rank from August twenty-fourth, eighteen hundred and sixty-four. Commissioned December ninth, eighteen hundred and sixty-eight. Re-election.
- Bell, Aaron—First Lieutenant, Placerville City Guards, unattached, Fourth Brigade. Rank from July seventh, eighteen hundred and sixty-eight. Commissioned December ninth, eighteen hundred and sixty-eight, vice Holmes, term expired.
- Barbour, James N. K.—Captain, Vallejo Rifles, unattached, Second Brigade. Rank from November fourth, eighteen hundred and sixty-seven. Commissioned December fourteenth, eighteen hundred and sixty-eight. Re-elected.
- Bateman, Michael E.—Major, First Battalion Infantry, Second Brigade. Rank from December twelfth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight.
- Benson, James A.—Junior Second Lieutenant, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade, National

- Guard California. Rank from September fourteenth, eighteen hundred and sixty-seven. Commissioned December twenty-eighth, eighteen hundred and sixty-eight. Re-elected.
- Brown, Josiah P.—Captain, Yuba Light Infantry, Fourth Brigade. Rank from November seventh, eighteen hundred and sixty-three. Commissioned January sixteenth, eighteen hundred and sixty-nine. Re-elected.
- Burns, H. J.—Second Lieutenant, Company C, National Guard, First Regiment Infantry, Second Brigade. Rank from January fourth, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice Vaughn, promoted.
- Badlam, Alexander—Captain, Company F, Light Guard, First Regiment Infantry, Second Brigade. Rank from February third, eighteen hundred and sixty-nine. Commissioned March third, eighteen hundred and sixty-nine, vice Barker, resigned.
- Buckley, Florence F.—First Lieutenant, Emmet Guard, unattached, Fourth Brigade. Rank from March twenty-seventh, eighteen hundred and sixty-nine. Commissioned April first, eighteen hundred and sixty-nine.
- Bettis, Ranson S.—Major and Quartermaster on Staff of Brigadier-General James C. Roley, commanding Fifth Brigade. Rank from May seventeenth, eighteen hundred and sixty-nine. Commissioned May eighteenth, eighteen hundred and sixty-nine, vice Comstock, deceased.
- Byrne, James—Second Lieutenant, Ellsworth Rifles, Company G, First Regiment Infantry, Second Brigade. Rank from June eighteenth, eighteen hundred and sixty-nine. Commissioned June twenty-fourth, eighteen hundred and sixty-nine, vice Hanley, promoted.
- Buckley, F. F.—Captain, Emmet Guard, unattached, Fourth Brigade. Rank from June sixteenth, eighteen hundred and sixty-nine. Commissioned June twenty-eighth, eighteen hundred and sixty-nine, vice Sheehan, resigned.
- Brush, R. G.—Senior First Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from June first, eighteen hundred and sixty-nine. Commissioned July twenty-first, eighteen hundred and sixty-nine, vice Pippy, resigned.
- Couyler, John—Second Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from May first, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice Pippy, promoted.
- Chapin, George W.—Junior Second Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from May tenth, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice Cook, resigned.
- Cantos, George—First Lieutenant, Germania Rifles, Company D, Second Infantry, Second Brigade. Rank from May twenty-second, eighteen hundred and sixty-eight. Commissioned May twenty-ninth, eighteen hundred and sixty-eight.
- Campbell, Milton—Captain, Company B, San José Zouaves, Fifth Infantry Battalion, Second Brigade. Rank from September twenty-fourth, eighteen hundred and sixty-seven. Commissioned August twenty-fifth, eighteen hundred and sixty-eight, vice Maze, resigned.

- Cleary, Robert—Captain, Company E, Emmet Guard, First Battalion Infantry, Second Brigade. Rank from May fifteenth, eighteen hundred and sixty-eight. Commissioned May nineteenth, eighteen hundred and sixty-eight.
- Cusheon, John D.—First Lieutenant, Company F, Sarsfield Guard, First Battalion Infantry, Second Brigade. Rank from September eighth, eighteen hundred and sixty-eight. Commissioned September fifth, eighteen hundred and sixty-eight.
- Crossen, Samuel—Captain, Red Bluff Guard, Fifth Brigade. Rank from May fourth, eighteen hundred and sixty-eight. Re-commissioned.
- Cook, Alex.—Second Lieutenant, San Francisco Cadets, Company H, Second Regiment Infantry, Second Brigade. Rank from October twelfth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight, vice Robinson, promoted.
- Carson, James G.—Captain, Ellsworth Rifles, Company G, First Infantry Regiment, Second Brigade. Rank from October ninth, eighteen hundred and sixty-eight. Commissioned November eleventh. Re-elected.
- Conaway, George W.—Captain, Company E, Howell Zouaves, Fourth Brigade. Rank from November seventh, eighteen hundred and sixty-eight. Commissioned November twenty-fifth, eighteen hundred and sixty-eight, vice Fouse, failed to qualify.
- Cuddy, Mathias—Second Lieutenant, Company B, Veteran Guard, Second Regiment Infantry, Second Brigade. Rank from December sixteenth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight, vice McCabe, resigned.
- Corcoran, William—First Lieutenant and Quartermaster, First Battalion Cavalry, Second Brigade. Rank from March third, eighteen hundred and sixty-nine. Commissioned March fourth, eighteen hundred and sixty-nine, vice Newman, failed to qualify.
- Chapin, George W.—Junior First Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from June first, eighteen hundred and sixty-nine. Commissioned July twenty-first, eighteen hundred and sixty-nine, vice Tolman, resigned.
- Clifton, John G.—Second Lieutenant, Placerville City Guard, Fourth Brigade. Rank from August third, eighteen hundred and sixty-nine. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Wiltse, promoted.
- Donovan, Michael J.—First Lieutenant, Company E, Excelsior Guard, Second Infantry, Second Brigade. Rank from April third, eighteen hundred and sixty-eight. Commissioned June fourteenth, eighteen hundred and sixty-eight, vice Kean, resigned.
- Dodge, Ed. J.—Major and Quartermaster on Staff of Brigadier-General Butler, commanding Sixth Brigade. Rank from May eighth, eighteen hundred and sixty-eight. Commissioned May twenty-sixth, eighteen hundred and sixty-eight, vice Kingsbury, removed.
- Davis, Joseph—Captain, Sacramento Light Artillery, Company A, First Battalion Light Artillery, Fourth Brigade. Rank from September twenty-ninth, eighteen hundred and sixty-eight. Commissioned October sixth, eighteen hundred and sixty-eight, vice Montague, term expired.
- Dale, Richard—Senior Second Lieutenant, Sacramento Light Artillery, Company A, First Battalion Light Artillery, Fourth Brigade.

Rank from September twenty-ninth, eighteen hundred and sixty-eight. Commissioned October sixth, eighteen hundred and sixty-eight, vice Coolidge, term expired.

Doyle, John—Junior Second Lieutenant, Haight Light Horse Guard, Company D, First Battalion Cavalry, Second Brigade. Rank from October twenty-ninth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight.

Dugan, Wm. Ed.—Second Lieutenant, Company H, California Tigers, First Regiment Infantry, Second Brigade. Rank from October twenty-third, eighteen hundred and sixty-eight. Commissioned November twenty-third, eighteen hundred and sixty-eight, vice Barron, resigned.

Doane, Mica—First Lieutenant, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Rank from September fourteenth, eighteen hundred and sixty-seven. Commissioned December twenty-eighth, eighteen hundred and sixty-eight. Re-elected.

Dougherty, Hugh—First Lieutenant, Jackson Dragoons, Company C, First Battalion Cavalry, Second Brigade. Rank from January seventh, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice O'Connor, term expired.

Dollard, John—Second Lieutenant, Meagher Guard, Company D, First Battalion Infantry, Second Brigade. Rank from April twenty-eighth, eighteen hundred and sixty-nine. Commissioned May third, eighteen hundred and sixty-nine, vice Daniel J. Sullivan, promoted.

Deal, M. S.—First Lieutenant, Nevada Light Guard, unattached, Fourth Brigade. Rank from April fifth, eighteen hundred and sixty-six. Commissioned June eleventh, eighteen hundred and sixty-nine, vice Deal, re-elected.

Egan, John—Captain, Company D, Meagher Guard, First Battalion Infantry, Second Brigade. Rank from May seventh, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice McGuire, resigned.

Ebner, Frank—Captain, Sacramento Hussars, Fourth Brigade. Rank from June ninth, eighteen hundred and sixty-eight. Commissioned August twenty-fifth, eighteen hundred and sixty-eight, vice Boehme, resigned.

Edwards, Maze—Captain and Aid-de-Camp on Staff of Brigadier-General James M. Allen, Adjutant, Inspector and Quartermaster-General of the State. Rank from June thirtieth, eighteen hundred and sixty-eight. Commissioned December fifteenth, eighteen hundred and sixty-eight.

Eaton, Edward—First Lieutenant, Yuba Light Infantry, Fourth Brigade. Rank from January ninth, eighteen hundred and sixty-nine. Commissioned January sixteenth, eighteen hundred and sixty-nine, vice McClellan, term expired.

English, Joseph R.—Second Lieutenant, Nevada Light Guard, unattached, Fourth Brigade. Rank from April fifth, eighteen hundred and sixty-six. Commissioned June eleventh, eighteen hundred and sixty-nine, vice English, re-elected.

Eaton, F. W.—Senior Second Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from June twenty-eighth,

- eighteen hundred and sixty-nine. Commissioned July twenty-first, eighteen hundred and sixty-nine, vice Conyler, resigned.
- Ebner, Frank X.—Captain, Sacramento Hussars, Fourth Brigade. Rank from June ninth, eighteen hundred and sixty-eight. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Ebner, re-elected.
- Edwards, Maze—Major and Assistant Adjutant-General of the State of California. Rank from October first, eighteen hundred and sixty-nine. Commissioned November ninth, eighteen hundred and sixty-nine, vice Boice, resigned.
- Flick, W. F.—Junior Second Lieutenant, First California Guard, unattached Artillery, Second Brigade. Rank from June twenty-eighth, eighteen hundred and sixty-nine. Commissioned July twenty-first, eighteen hundred and sixty-nine, vice Chapin, promoted.
- Flanagan, T. R.—Second Lieutenant, Hewston Rifles, Company H, First Regiment Infantry, Second Brigade. Rank from September seventh, eighteen hundred and sixty-nine. Commissioned September twentieth, eighteen hundred and sixty-nine.
- Ferris, Charles O.—Captain, Frisbie Guard, unattached, Second Brigade. Rank from October fourth, eighteen hundred and sixty-nine. Commissioned October fourteenth, eighteen hundred and sixty-nine.
- Ferguson, Edwin A.—Second Lieutenant, Frisbie Guard, unattached, Second Brigade. Rank from October fourth, eighteen hundred and sixty-nine. Commissioned October fourteenth, eighteen hundred and sixty-nine.
- Gorman, Eugene C.—First Lieutenant, Company H, California Tigers, First Infantry, Second Brigade. Rank from April eighteenth, eighteen hundred and sixty-eight. Commissioned May seventh, eighteen hundred and sixty-eight, vice Tracy, resigned.
- Gorman, Eugene E.—Captain, Company H, California Tigers, First Regiment Infantry, Second Brigade. Rank from October twenty-third, eighteen hundred and sixty-eight. Commissioned November twenty-third, eighteen hundred and sixty-eight, vice McDeavitt, resigned.
- Gunn, Douglass—Captain, Company B, City Guard, First Regiment Infantry, Second Brigade. Rank from October nineteenth, eighteen hundred and sixty-eight. Commissioned November twenty-third, eighteen hundred and sixty-eight, vice Granniss, term expired.
- Granniss, Geo. W.—Major, First Regiment Infantry, Second Brigade. Rank from November nineteenth, eighteen hundred and sixty-eight. Commissioned November twenty-eighth, eighteen hundred and sixty-eight, vice Moger, promoted.
- Guelfoyle, John J.—Second Lieutenant, Sarsfield Guard, Company F, First Battalion Infantry, Second Brigade. Rank from April first, eighteen hundred and sixty-nine. Commissioned June third, eighteen hundred and sixty-nine, vice Daniel McSwegan, resigned.
- Gilmore, Robert G.—Captain, Hewston Rifles, Company H, First Regiment Infantry, Second Brigade. Rank from September seventh, eighteen hundred and sixty-nine. Commissioned September twentieth, eighteen hundred and sixty-nine.
- Gethings, James A.—First Lieutenant, Hewston Rifles, Company H, First Regiment Infantry, Second Brigade. Rank from September seventh, eighteen hundred and sixty-nine. Commissioned September twentieth, eighteen hundred and sixty-nine.

- Hollister, Page—Second Lieutenant, Company B, San José Zouaves, Fifth Infantry Battalion, Second Brigade. Rank from July twenty-first, eighteen hundred and sixty-eight. Commissioned August twenty-fifth, eighteen hundred and sixty-eight, vice Black, promoted.
- Hayden, James G.—Second Lieutenant, Company E, Emmet Guard, First Battalion Infantry, Second Brigade. Rank from May fifteenth, eighteen hundred and sixty-eight. Commissioned May nineteenth, eighteen hundred and sixty-eight.
- Heustis, Wm. B.—Major and Assistant Adjutant-General on Staff of Brigadier-General Butler, commanding Sixth Brigade. Rank from May eighth, eighteen hundred and sixty-eight. Commissioned May twenty-sixth, eighteen hundred and sixty-eight, vice Russell, removed.
- Howison, Edward M.—Major and Brigade Inspector on Staff of Brigadier-General Howell, commanding Fourth Brigade, National Guard of California. Rank from October seventh, eighteen hundred and sixty-eight. Commissioned October eighth, eighteen hundred and sixty-eight, vice Leech, promoted.
- Hanley, Thomas, Jr.—Second Lieutenant, Ellsworth Rifles, Company G, First Regiment Infantry, Second Brigade. Rank from October ninth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight, vice Fogarty, term expired.
- Hughes, James E.—First Lieutenant, Company B, Veteran Guard, Second Regiment Infantry, Second Brigade. Rank from November eighteenth, eighteen hundred and sixty-eight. Commissioned December twelfth, eighteen hundred and sixty-eight, vice Dauphin, resigned.
- Hughes, James E.—Captain, Company B, Veteran Guard, Second Regiment Infantry, Second Brigade. Rank from December sixteenth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight, vice Finan, resigned.
- Humphries, George—Captain, Company C, National Guard, First Regiment Infantry Second Brigade. Rank from January fourth, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice Pratt, term expired.
- Hughes, John—Second Lieutenant, Company E, Excelsior Guard, Second Regiment Infantry, Second Brigade. Rank from December twenty-eighth, eighteen hundred and sixty-eight. Commissioned February twenty-fifth, eighteen hundred and sixty-nine, vice J. W. Rousel, term of service expired.
- Hale, John S.—Captain, Red Bluff Guard, Company A, unattached, Fifth Brigade. Rank from March fifteenth, eighteen hundred and sixty-nine. Commissioned March thirtieth, eighteen hundred and sixty-nine.
- Hunt, Edwin O.—Second Lieutenant, Company E, Sumner Light Guard, First Regiment Infantry, Second Brigade. Rank from May seventeenth, eighteen hundred and sixty-nine. Commissioned May twenty-first, eighteen hundred and sixty-nine, vice Oscar Woodhams, promoted.
- Hanley, Thomas J.—First Lieutenant, Ellsworth Rifles, Company G, First Regiment Infantry, Second Brigade. Rank from June first, eighteen hundred and sixty-nine. Commissioned June twenty-fourth, eighteen hundred and sixty-nine, vice Sampson, resigned.

- Heilbron, Augustus F.—First Lieutenant, Sacramento Hussars, Fourth Brigade. Rank from August second, eighteen hundred and sixty-seven. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Heilbron, re-elected.
- Hollister, Page—Second Lieutenant, San José Zouaves, unattached, Second Brigade. Rank from July twenty-first, eighteen hundred and sixty-eight. Commissioned September twenty-fourth, vice Page, re-elected.
- Knox, Geo. T.—Captain, Haight Light Horse Guard, Company D, First Battalion Cavalry, Second Brigade. Rank from October twenty-ninth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight.
- Krambeck, Christopher—First Lieutenant, San Francisco Hussars, Company B, First Battalion Cavalry, Second Brigade. Rank from November twenty-fifth, eighteen hundred and sixty-eight. Commissioned December twelfth, eighteen hundred and sixty-eight, vice Mocker, term expired.
- Keene, Chas. C.—Junior Second Lieutenant, San Francisco Hussars, Company B, First Battalion Cavalry, Second Brigade. Rank from November twenty-fifth, eighteen hundred and sixty-eight. Commissioned December twelfth, eighteen hundred and sixty-eight, vice Luhrs, term expired.
- Keegan, Gerald—First Lieutenant, Red Bluff Guard, Company A, unattached, Fifth Brigade. Rank from March fifteenth, eighteen hundred and sixty-nine. Commissioned March thirtieth, eighteen hundred and sixty-nine.
- Kelly, John G.—First Lieutenant, Frisbie Guard, unattached, Second Brigade. Rank from October fourth, eighteen hundred and sixty-nine. Commissioned October fourteenth, eighteen hundred and sixty-nine.
- Lundholm, Chas.—Junior Second Lieutenant, Sacramento Hussars, Fourth Brigade. Rank from August seventh, eighteen hundred and sixty-eight. Commissioned August twenty-fifth, eighteen hundred and sixty-eight, vice Kaufman, removed from State.
- Leach, Sherman H.—Captain and Aid-de-camp on staff of Brigadier-General Butler, commanding Sixth Brigade. Rank from May eighth, eighteen hundred and sixty-eight. Commissioned May twenty-sixth, eighteen hundred and sixty-eight, vice Woodbury, removed.
- Little, William C.—Captain, Oakland Guard, Second Brigade. Rank from September ninth, eighteen hundred and sixty-eight. Commissioned September twenty-fifth, eighteen hundred and sixty-eight, vice Morse, term expired.
- Leonard, Albert—Senior First Lieutenant, Sacramento Light Artillery, Company A, First Battalion Light Artillery, Fourth Brigade. Rank from September twenty-ninth, eighteen hundred and sixty-eight. Commissioned October sixth, eighteen hundred and sixty-eight, vice Howison, term expired.
- Letterman, Doctor Jonathan—Colonel and Surgeon-General of the State, on staff of Commander-in-Chief. Rank November thirteenth, eighteen hundred and sixty-eight. Commissioned November thirtieth, eighteen hundred and sixty-eight, vice McNulty, resigned.
- Lincoln, Geo. W.—Second Lieutenant, Company A, Union Guard, Second Regiment Infantry, Second Brigade. Rank from Decem-

ber fifth, eighteen hundred and sixty-five. Commissioned January thirtieth, eighteen hundred and sixty-nine. Re-elected.

Lancaster, J. A.—Captain, Nevada Light Guard, unattached, Fourth Brigade. Rank from April seventeenth, eighteen hundred and sixty-five. Commissioned June eleventh, eighteen hundred and sixty-nine, vice Lancaster, re-elected.

Lotthammer, Louis—Senior Second Lieutenant, Sacramento Hussars, Fourth Brigade. Rank from August second, eighteen hundred and sixty-seven. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Lotthammer, re-elected.

Mulloy, Charles W.—First Lieutenant, Company F, McKenzie Guard, Second Infantry, Second Brigade. Rank from January seventh, eighteen hundred and sixty-eight. Commissioned June nineteenth, eighteen hundred and sixty-eight, vice Durnin, resigned.

McManus, Frank—Second Lieutenant, Company F, McKenzie Guard, Second Infantry, Second Brigade. Rank from June seventh, eighteen hundred and sixty-eight. Commissioned January nineteenth, eighteen hundred and sixty-eight, vice Mulloy, promoted.

Murphy, John F.—First Lieutenant, Company E, Emmet Guard, First Battalion Infantry, Second Brigade. Rank from May fifteenth, eighteen hundred and sixty-eight. Commissioned May nineteenth, eighteen hundred and sixty-eight.

McSwegan, David—Second Lieutenant, Company F, Sarsfield Guard, First Battalion Infantry, Second Brigade. Rank from September eighth, eighteen hundred and sixty-eight. Commissioned September fifth, eighteen hundred and sixty-eight.

McKay, Charles P.—First Lieutenant, Oakland Guard, Second Brigade. Rank from September ninth, eighteen hundred and sixty-eight. Commissioned September twenty-fifth, eighteen hundred and sixty-eight, vice Reed, term expired.

Melendez, William—Junior Second Lieutenant, Sacramento Light Artillery, Company A, First Battalion Light Artillery, Fourth Brigade. Rank from September twenty-ninth, eighteen hundred and sixty-eight. Commissioned October sixth, eighteen hundred and sixty-eight, vice Howe, term expired.

McDonald, C. E. S.—Captain, San Francisco Cadets, Company H, Second Regiment Infantry, Second Brigade. Rank from October tenth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight. Re-elected.

McLaughlin, M. A.—First Lieutenant and Adjutant, First Battalion Cavalry, Second Brigade. Rank from November twentieth, eighteen hundred and sixty-eight. Commissioned November twenty-seventh, eighteen hundred and sixty-eight.

Moger, Abram—Lieutenant-Colonel, First Regiment Infantry, Second Brigade. Rank from November nineteenth, eighteen hundred and sixty-eight. Commissioned November twenty-eighth, eighteen hundred and sixty-eight, vice Little, resigned.

McDonald, Donald A.—Captain, San Francisco Hussars, Company B, First Battalion Cavalry, Second Brigade. Rank from December eighteenth, eighteen hundred and sixty-seven. Commissioned December twelfth, eighteen hundred and sixty-eight. Re-elected.

McLaughlin James—Second Lieutenant Vallejo Rifles, unattached, Second Brigade. Rank from December fifth, eighteen hundred and sixty-eight. Commissioned December fourteenth, eighteen hundred and sixty-eight, vice McGettigan, term expired.

- McLellan, Charles—Second Lieutenant, Yuba Light Infantry, Fourth Brigade. Rank from January ninth, eighteen hundred and sixty-nine. Commissioned January sixteenth, eighteen hundred and sixty-nine, vice Eaton, promoted.
- McGinniss, Thomas—Junior Second Lieutenant, Jackson Dragoons, Company C, First Battalion Cavalry, Second Brigade. Rank from January seventh, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice Rogers, term expired.
- Meek, Meek J. D.—First Lieutenant, Grass Valley Union Guard, Fourth Brigade. Rank from February tenth, eighteen hundred and sixty-nine. Commissioned February eighteenth, eighteen hundred and sixty-nine, vice J. M. Days, term expired.
- McGurren, Arthur—Second Lieutenant, Shields Guard, Company B, First Infantry Battalion, Second Brigade. Rank from April fifteenth, eighteen hundred and sixty-nine. Commissioned May fifteenth, eighteen hundred and sixty-nine, vice Charles Prior resigned.
- McGloughlin, John Andrew—First Lieutenant, Haight Light Horse Guard, Company D, First Cavalry Battalion, Second Brigade. Rank from May eighteenth, eighteen hundred and sixty-nine. Commissioned June fourteenth, eighteen hundred and sixty-nine, vice Taylor, promoted.
- Mahany, John D.—First Lieutenant, Emmet Guard, unattached, Fourth Brigade. Rank from June twenty-ninth, eighteen hundred and sixty-nine. Commissioned July tenth, eighteen hundred and sixty-nine, vice Buckley, promoted.
- Neel, William—First Lieutenant, Red Bluff Guard, Fifth Brigade. May fourth, eighteen hundred and sixty-eight, re-commissioned.
- Norman, Theodore—Second Lieutenant, Red Bluff Guard, Fifth Brigade. May fourth, eighteen hundred and sixty-eight, re-commissioned.
- Nelson, Clarence—Second Lieutenant, Company A, City Guard, Fourth Regiment, Fourth Brigade. Rank from September twelfth, eighteen hundred and sixty-eight. Commissioned October fifth, eighteen hundred and sixty-eight, vice Crowell, term expired.
- Newman, A.—First Lieutenant and Quartermaster, First Battalion Cavalry, Second Brigade. Rank from November twentieth, eighteen hundred and sixty-eight. Commissioned November twenty-seventh, eighteen hundred and sixty-eight.
- Norman, Theodore—Second Lieutenant, Red Bluff Guard, Company A, unattached, Fifth Brigade. Rank from March fifteenth, eighteen hundred and sixty-nine. Commissioned March thirtieth, eighteen hundred and sixty-nine.
- O'Donnell, Charles C.—Captain, Company F, Sarsfield Guard, First Battalion Infantry, Second Brigade. Rank from September eighth, eighteen hundred and sixty-eight. Commissioned September fifth, eighteen hundred and sixty-eight.
- O'Brien, P. R.—Major, First Battalion Cavalry, Second Brigade. Rank from July twenty-fourth, eighteen hundred and sixty-eight. Commissioned August twenty-fifth, eighteen hundred and sixty-eight.
- O'Connor, Joseph—First Lieutenant, Jackson Dragoons, Company C, First Battalion Cavalry, Second Brigade. Rank from September twenty-first, eighteen hundred and sixty-eight. Commissioned September twenty-fifth, eighteen hundred and sixty-eight, vice Rafferty, promoted.

- O'Brien, Thomas—Second Lieutenant, Jackson Dragoons, Company C, First Battalion Cavalry, Second Brigade. Rank from January seventh, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice Nunan, term expired.
- O'Farrall, Bernard—First Lieutenant, Shields Guards, Company B, First Battalion Infantry, Second Brigade. Rank from February third, eighteen hundred and sixty-nine. Commissioned May fifteenth, eighteen hundred and sixty-nine, vice John Leary, resigned.
- Pippy, Henry J.—Senior First Lieutenant, California Guard, unattached Artillery, Second Brigade. Rank from May first, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice Wilson, resigned.
- Parker, Edward A.—Second Lieutenant, Company E, Howell Zouaves, Fifth Infantry, Fourth Brigade. Rank from August fifteenth, eighteen hundred and sixty-eight. Commissioned September first, eighteen hundred and sixty-eight, vice Wells, promoted.
- Preston, Denzel C.—Second Lieutenant, San Francisco Hussars, Company B, First Battalion Cavalry, Second Brigade. Rank from November twenty-fifth, eighteen hundred and sixty-eight. Commissioned December twelfth, eighteen hundred and sixty-eight, vice Newan, term expired.
- Pierce, Frederick Wilmer—First Lieutenant, Company C, Franklin Guard, Second Regiment Infantry, Second Brigade. Rank from March fifth, eighteen hundred and sixty-nine. Commissioned April twentieth, eighteen hundred and sixty-nine, vice Hand, resigned.
- Quinlan, Peter B.—First Lieutenant, Company A, Union Guard, Second Regiment Infantry, Second Brigade. Rank from December sixth, eighteen hundred and sixty-four. Commissioned January thirtieth, eighteen hundred and sixty-nine. Re-elected.
- Rafferty, John P.—Captain, Jackson Dragoons, Company C, First Battalion Cavalry, Second Brigade. Rank from September twenty-first, eighteen hundred and sixty-eight. Commissioned September twenty-fifth, eighteen hundred and sixty-eight, vice O'Brien, promoted. Re-elected January seventh, eighteen hundred and sixty-nine.
- Robinson, Ansel C.—First Lieutenant, San Francisco Cadets, Company H, Second Regiment Infantry, Second Brigade. Rank from October twelfth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight, vice Bigley, promoted.
- Ray, James F.—First Lieutenant, Company B, Veteran Guard, Second Regiment Infantry, Second Brigade. Rank from December sixteenth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight, vice Hughes, promoted.
- Robison, Charles T.—Captain, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Rank from December fourteenth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight, vice Moore, term expired.
- Rule, William—Captain, Grass Valley Union Guard, unattached, Fourth

- Brigade Rank from February tenth, eighteen hundred and sixty-nine. Commissioned February eighteenth, eighteen hundred and sixty-nine, vice Roberts, term expired.
- Richardson, Charles—Second Lieutenant, Grass Valley Union Guard, unattached, Fourth Brigade. Rank from February tenth, eighteen hundred and sixty-nine. Commissioned February eighteenth, eighteen hundred and sixty-nine, vice Rule, promoted.
- Rugg, William H.—First Lieutenant, Hewston Guard, unattached, Second Brigade. Rank from June twenty-ninth, eighteen hundred and sixty-nine. Commissioned July first, eighteen hundred and sixty-nine.
- Sneider, John—Captain, Germania Rifles, Company D, Second Infantry, Second Brigade. Rank from May twenty-second, eighteen hundred and sixty-eight. Commissioned May twenty-ninth, eighteen hundred and sixty-eight.
- Sullivan, Daniel J.—Second Lieutenant, Company D, Meagher Guard, First Battalion Infantry, Second Brigade. Rank from May fifteenth, eighteen hundred and sixty-eight. Commissioned July fourteenth, eighteen hundred and sixty-eight, vice Murphy, promoted.
- Sauze, Fredrick—Junior First Lieutenant, Sacramento Light Artillery, Company A, First Battalion Light Artillery, Fourth Brigade. Rank from September twenty-ninth, eighteen hundred and sixty-eight. Commissioned October sixth, eighteen hundred and sixty-eight, vice Conboie, term expired.
- Sampson, John—First Lieutenant, Ellsworth Rifles, Company G, First Regiment Infantry, Second Brigade. November eleventh, eighteen hundred and sixty-eight, re-commissioned.
- Scott, Chalmers—First Lieutenant, Company B, City Guard, First Regiment Infantry, Second Brigade. Rank from October nineteenth, eighteen hundred and sixty-eight. Commissioned November twenty-third, eighteen hundred and sixty-eight, vice Smith, term expired.
- Sargent, Wm. I.—First Lieutenant, Vallejo Rifles, unattached, Second Brigade. Rank from December fifth, eighteen hundred and sixty-eight. Commissioned December fourteenth, eighteen hundred and sixty-eight, vice Rogers, term expired.
- Sheehan, T. W.—Captain, Emmet Guard, unattached, Fourth Brigade. Rank from April twenty-seventh, eighteen hundred and sixty-seven. Re-commissioned April first, eighteen hundred and sixty-nine.
- Sullivan, Daniel J.—First Lieutenant, Company D, Meagher Guard, First Battalion Infantry, Second Brigade. Rank from March tenth, eighteen hundred and sixty-nine. Commissioned April eighth, eighteen hundred and sixty-nine, vice Henry C. Bateman, resigned.
- Sellinger, Chas.—Junior Second Lieutenant, Sacramento Hussars, Fourth Brigade. Rank from August sixth, eighteen hundred and sixty-nine. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Lundholm, term expired.
- Scott, John—Lieutenant-Colonel and Aid-de-Camp, on Staff of His Excellency, the Commander-in-Chief. Rank from July twenty-third, eighteen hundred and sixty-nine. Commissioned August eighth, eighteen hundred and sixty-nine, vice Harney, resigned.
- Sesser, Peter—Major, Second Regiment Infantry, Second Brigade. Rank

from August second, eighteen hundred and sixty-nine. Commissioned October fourteenth, eighteen hundred and sixty-nine, vice Stratman, resigned.

Thompson, James A.—Major and Paymaster on staff of Brigadier-General John Hewston, Jr., commanding Second Brigade. Rank from September first, eighteen hundred and sixty-eight. Commissioned September seventh, eighteen hundred and sixty-eight, vice Richardson, removed from State.

Turton, H. S.—Captain, Company A, City Guard, Fourth Regiment, Fourth Brigade. Rank from September twelfth, eighteen hundred and sixty-eight. Commissioned October fifth, eighteen hundred and sixty-eight, vice Carlisle, term expired.

Taylor, John G.—First Lieutenant, Haight Light Horse Guard, Company D, First Battalion Cavalry, Second Brigade. Rank from October twenty-ninth, eighteen hundred and sixty-eight. Commissioned November eleventh, eighteen hundred and sixty-eight.

Trainor, John—First Lieutenant, Company H, California Tigers, First Regiment Infantry, Second Brigade. Rank from October twenty-third, eighteen hundred and sixty-eight. Commissioned November twenty-third, eighteen hundred and sixty-eight, vice Gorman, promoted.

Thomas, Joel L.—Second Lieutenant, First Light Dragoons, Company A, First Battalion Cavalry. Rank from December fourteenth, eighteen hundred and sixty-eight. Commissioned December twenty-eighth, eighteen hundred and sixty-eight, vice Moulton, term expired.

Umbach, Chris.—Second Lieutenant, Germania Rifles, Company D, Second Infantry, Second Brigade. Rank from May twenty-second, eighteen hundred and sixty-eight. Commissioned May twenty-ninth, eighteen hundred and sixty-eight.

Vaughn, George—First Lieutenant, Company C, National Guard, First Regiment Infantry, Second Brigade. Rank from January fourth, eighteen hundred and sixty-nine. Commissioned January thirtieth, eighteen hundred and sixty-nine, vice Humphrey, promoted.

Wing, Stephen—Major and Quartermaster on Staff of Brigadier-General Davies, commanding Third Brigade. Rank from June seventeenth, eighteen hundred and sixty-eight. Commissioned June nineteenth, eighteen hundred and sixty-eight, vice Sedgwick, resigned.

Wells, Charles S.—First Lieutenant, Company E, Howell Zouaves, Fifth Infantry, Fourth Brigade. Rank from August fifteenth, eighteen hundred and sixty-eight. Commissioned September first, eighteen hundred and sixty-eight, vice Flanders, term expired.

Week, George W.—Major and Engineer Officer on Staff of Brigadier-General Butler, commanding Sixth Brigade. Rank from May eighth, eighteen hundred and sixty-eight. Commissioned May twenty-sixth, eighteen hundred and sixty-eight, vice Orman, removed.

Winters, John W.—Lieutenant-Colonel, First Battalion Infantry, Second Brigade. Rank from September fifteenth, eighteen hundred and sixty-eight. Commissioned September twenty-third, eighteen hundred and sixty-eight, vice Winters, promoted.

Wilder, David—Second Lieutenant, Company B, City Guard, First Regiment Infantry, Second Brigade. Rank from October sixteenth,

eighteen hundred and sixty-six. Re-commissioned November twenty-third, eighteen hundred and sixty-eight.

Wiltse, William—Second Lieutenant, Placerville City Guard, unattached, Fourth Brigade. Rank from July seventh, eighteen hundred and sixty-eight. Commissioned December ninth, eighteen hundred and sixty-eight, vice Vignat, term expired.

Wilkinson, James W.—Captain, Company E, Excelsior Guard, Second Regiment Infantry, Second Brigade, N. G. C. Rank from December twenty-seventh, eighteen hundred and sixty-two. Re-commissioned February twenty-fifth, eighteen hundred and sixty-nine.

Witemyer, George A.—Major and Paymaster, on Staff of Brigadier-General James C. Roley, commanding Fifth Brigade. Rank from May seventeenth, eighteen hundred and sixty-nine. Commissioned May eighteenth, eighteen hundred and sixty-nine, vice Gordon, removed from brigade.

Woodhams, Oscar—Captain, Company E, Sumner Light Guard, First Regiment Infantry, Second Brigade. Rank from March third, eighteen hundred and sixty-nine. Commissioned May twenty-first, eighteen hundred and sixty-nine, vice Charles H. Daly, resigned.

Wiltse, William—First Lieutenant, Placerville City Guard, Fourth Brigade. Rank from August third, eighteen hundred and sixty-nine. Commissioned August fourteenth, eighteen hundred and sixty-nine, vice Bell, removed from county.

Winchell, Theodore C.—Captain, San José Zouaves, unattached, Second Brigade. Rank from September twenty-first, eighteen hundred and sixty-nine. Commissioned September twenty-fourth, eighteen hundred and sixty-nine, vice Campbell, term expired.

Yost, John D.—Captain, and Aid-de-Camp on Staff of Brigadier-General Howell, commanding Fourth Brigade. Rank from August first, eighteen hundred and sixty-eight. Commissioned June fourteenth, eighteen hundred and sixty-eight, vice Anderson, promoted.

A LIST
OF
EXEMPT CERTIFICATES
ISSUED TO
MEMBERS OF NATIONAL GUARD OF CALIFORNIA.

LIST OF EXEMPT CERTIFICATES ISSUED.

- Bluxome, Isaac—Captain, commanding California Guard, Artillery, Second Brigade, N. G. C. Certificate issued August thirteenth, eighteen hundred and sixty-eight.
- Blake, George W.—Private, First California Guard, Artillery, Second Brigade, N. G. C. Certificate issued August thirteenth, eighteen hundred and sixty-eight.
- Barker, Stephen—Captain, late commanding Company F, First Regiment Infantry, Second Brigade. Certificate issued March thirteenth, eighteen hundred and sixty-nine.
- Baston, Alfred F.—Sergeant, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Browning, Jacob—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Blake, Francis—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Blake, Charles F.—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Childs, George—City Guard, Company B, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Dillon, James H.—First Sergeant, McMahon Guard, San Francisco. Certificate issued March twenty-second, eighteen hundred and sixty-nine.
- Downs, Abiah—Sergeant, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Ellis, Samuel Claudius—Lieutenant-Colonel and Assistant Adjutant-General on Staff of Major-General of the State. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Fisher, Henry J.—National Guard, Company C, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.

- Fitzgibbon, M. E.—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Gambell, Albert N.—Private, Auburn Grays, Company D, Fifth Infantry, Fourth Brigade, N. G. C. Certificate issued June seventeenth, eighteen hundred and sixty-eight.
- Hummelmann, A.—Late member of Company A, Sixth Regiment Infantry, California Militia. Certificate issued May seventeenth, eighteen hundred and sixty-nine.
- Johnson, Peter—National Guard, Company C, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Johnson, R. E.—Late Private, Company C, Second Regiment Infantry, Second Brigade. Certificate issued September eleventh, eighteen hundred and sixty-nine.
- Love, James—First Sergeant, San Francisco Guard, Company D, First Infantry, Second Brigade, N. G. C. Certificate issued, — —, eighteen hundred and sixty-seven.
- Ludlum, T. B.—Colonel, commanding First Infantry, Second Brigade, N. G. C. Certificate issued October twentieth, eighteen hundred and sixty-eight.
- Murray, Michael—Private, Jackson Dragoons, Company C, First Cavalry, Second Brigade, N. G. C. Certificate issued — —, eighteen hundred and sixty-seven.
- McKenzie, J. W.—Colonel, commanding Second Infantry, Second Brigade, N. G. C. Certificate issued August thirteenth, eighteen hundred and sixty-eight.
- Moger, Abram—Major, First Infantry, Second Brigade, N. G. C. Certificate issued October twentieth, eighteen hundred and sixty-eight.
- Miller, Francis A.—Private, Light Guard, Company F, First Infantry, Second Brigade. Certificate issued October twenty-sixth, eighteen hundred and sixty-eight.
- Morse, Henry N.—Oakland Guard, unattached, Second Brigade. Certificate issued July twenty-fourth, eighteen hundred and sixty-nine.
- Murphy, Michael J.—Fifth Sergeant, Meagher Guard, Company D, First Battalion Infantry, Second Brigade, N. G. C. Certificate issued October first, eighteen hundred and sixty-nine.
- Moore, David—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Main, Charles E.—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Morton, Ruben—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Oakley, Oliver B.—Private, National Guard, Company C, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- O'Neil, M. S.—Private, Ellsworth Rifles, Company G, First Infantry Regiment, Second Brigade. Certificate issued October twenty-sixth, eighteen hundred and sixty-nine.
- Plummer, John A.—Private, Light Guard, Company F, First Regiment Infantry, Second Brigade. Certificate issued October twenty-sixth, eighteen hundred and sixty-eight.

- Pratt, Benjamin—Captain, National Guard, Company C, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Pennycook, James—First Regiment Infantry, Second Brigade. Certificate issued March thirteenth, eighteen hundred and sixty-nine.
- Penne, David H.—Sergeant, Sumner Light Guard, Company E, First Regiment Infantry, Second Brigade, N. G. C. Certificate issued August fourteenth, eighteen hundred and sixty-nine.
- Rodgers, Thomas—Vallejo Rifles, unattached, Second Brigade. Certificate issued March thirteenth, eighteen hundred and sixty-nine.
- Smith, Stephen H.—City Guard, Company B, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Sargent, Wm. J.—First Lieutenant, Vallejo Rifles, Second Brigade. Certificate issued March thirteenth, eighteen hundred and sixty-nine.
- Sullivan, Michael—Second Sergeant, Meagher Guard, Company D, First Infantry Battalion, Second Brigade, N. G. C. Certificate issued October first, eighteen hundred and sixty-nine.
- Scott, Albert W.—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Turner, Geo. R.—Private, City Guard, Company B, First Infantry, Second Brigade, N. G. C. Certificate issued October twentieth, eighteen hundred and sixty-eight.
- Thompson, D. W. C.—Certificate issued October twenty-third, eighteen hundred and sixty-eight.
- Weintraut, Charles H.—First Corporal, San Francisco Guard, Company D, First Infantry, Second Brigade, N. G. C. Certificate issued ———, eighteen hundred and sixty-seven.
- Wilkinson, James W.—Private, Excelsior Guard, Company E, Second Infantry, Second Brigade, N. G. C. Certificate issued June fifteenth, eighteen hundred and sixty-seven.
- Wood, Andrew B.—Private, Sumner Light Guard, Company E, First Infantry, Second Brigade, N. G. C. Certificate issued October twentieth, eighteen hundred and sixty-eight.
- Will, Fredrick A.—National Guard, Company C, First Regiment Infantry, Second Brigade. Certificate issued November eighteenth, eighteen hundred and sixty-eight.
- Wasson, Archibald—Captain, commanding Wolfe Tone Guard, Company C, First Infantry Battalion, Second Brigade. Certificate issued June fifteenth, eighteen hundred and sixty-nine.
- Winchester, Ezra—Private, First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade. Certificate issued October thirteenth, eighteen hundred and sixty-nine.
- Younger, William J.—First Lieutenant, Sumner Light Guard, Company E, First Regiment Infantry, Second Brigade, N. G. C. Certificate issued August fourteenth, eighteen hundred and sixty-nine.

A LIST
OF
COMPANIES DISBANDED AND MUSTERED OUT
OF THE
STATE SERVICE SINCE LAST REPORT.

DISBANDED AND MUSTERED OUT OF THE STATE SERVICE SINCE LAST REPORT.

Arms, clothing and accoutrements turned in.

Number	Name of company.	Company letter	Battalion.....	Regiment	Brigade	Arm of service	LOCATION.		Arms.
							Town..	County	
1	Suisun Light Dragoons.....	D	.....	1st	Second.....	Cavalry.....	Suisun.....	Solano.....	Pistols and sabres.
2	Santa Cruz Cavalry.....	E	.....	1st	Second.....	Cavalry.....	Santa Cruz.....	Santa Cruz.....	Pistols and sabres.
3	Burnett Light Horse Guard.....	F	.....	1st	Second.....	Cavalry.....	Santa José.....	Santa Clara.....	Pistols and sabres.
4	New Almaden Cavalry.....	G	.....	1st	Second.....	Cavalry.....	New Almaden.....	Santa Clara.....	Pistols and sabres.
5	Napa Rangers.....	H	.....	1st	Second.....	Cavalry.....	Napa.....	Napa.....	Pistols and sabres.
6	Russian River Rifles.....	B	1st	.....	Second.....	Infantry.....	Healdsburg.....	Sonoma.....	Muskets.
7	Petaluma City Guard.....	C	1st	.....	Second.....	Infantry.....	Petaluma.....	Sonoma.....	Muskets.
8	Petaluma Guard.....	D	1st	.....	Second.....	Infantry.....	Petaluma.....	Sonoma.....	Muskets.
9	Watsonville Guard.....	D	5th	.....	Second.....	Infantry.....	Watsonville.....	Santa Cruz.....	Muskets.
10	Alviso Rifles.....	C	5th	.....	Second.....	Infantry.....	Alviso.....	Santa Clara.....	Muskets.
11	Alvarado Guard.....	F	5th	.....	Second.....	Infantry.....	Alvarado.....	Alameda.....	Muskets.
12	Napa Guard (unattached).....	.....	.....	.....	Second.....	Infantry.....	Napa.....	Napa.....	Muskets.
13	Brooklyn Guard (unattached).....	.....	.....	.....	Second.....	Infantry.....	Brooklyn.....	Alameda.....	Muskets.
14	Maine Prairie Rifles (unattached).....	.....	.....	.....	Second.....	Infantry.....	Maine Prairie.....	Solano.....	Muskets.
15	Hayward Guard (unattached).....	.....	.....	.....	Second.....	Infantry.....	Hayward.....	Alameda.....	Muskets.
16	State Guard.....	A	.....	.....	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
17	San Francisco Guard.....	D	.....	1st	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
18	California Tigers.....	H	.....	1st	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
19	Excelsior Guard.....	E	E	2d	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
20	McKenzie Guard.....	F	.....	2d	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
21	Eureka Guard.....	G	.....	.....	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
22	Shields Guard (reorganized).....	B	1st	.....	Second.....	Infantry.....	San Francisco.....	San Francisco.....	Muskets.
23	Tuolumne Guard (unattached).....	.....	.....	.....	Third.....	Infantry.....	Tuolumne.....	Tuolumne.....	Muskets.
24	Stockton City Guard (unattached).....	.....	.....	.....	Third.....	Infantry.....	Stockton.....	San Joaquin.....	Muskets.
25	Union Guard (unattached).....	.....	.....	.....	Third.....	Infantry.....	Copperopolis.....	Calaveras.....	Muskets.
26	Union Guard (unattached).....	.....	.....	.....	Third.....	Infantry.....	Campano Seco.....	Calaveras.....	Muskets.
27	Calaveras Light Guard (unat'ed).....	.....	.....	.....	Third.....	Infantry.....	Murphy's.....	Calaveras.....	Muskets.
28	Angels Guard (unattached).....	.....	.....	.....	Third.....	Infantry.....	Angels.....	Calaveras.....	Muskets.

DISBANDED AND MUSTERED OUT OF THE STATE SERVICE SINCE LAST REPORT—Continued.

Arms, clothing and accoutrements turned in.

Number	Name of company.	Company letter	Battalion	Regiment	Brigade	Arm of service	LOCATION.		Arms.
							Town..	County	
29	Stockton Lt. Artillery (unattach'd)	.....	.....	.....	Third	Artillery...	Stockton.....	San Joaquin.....	4 brass guns (fld. pcs.), with carriages, caissons and accoutrements complete.
30	Volcano Blues.....	C	.....	4th	Fourth.....	Infantry...	Volcano.....	Amador.....	Muskets.
31	Georgetown Union Guard.....	F	.....	4th	Fourth.....	Infantry...	Georgetown.....	El Dorado.....	Muskets.
32	Woodland Guard.....	G	.....	4th	Fourth.....	Infantry...	Woodland.....	Yolo.....	Muskets.
33	Jackson Guard.....	H	.....	4th	Fourth.....	Infantry...	Jackson.....	Amador.....	Muskets.
34	Little York Union Guard.....	C	.....	5th	Fourth.....	Infantry...	You Bet.....	Nevada.....	Muskets.
35	Auburn Grays.....	D	.....	5th	Fourth.....	Infantry...	Auburn.....	Placer.....	Muskets.
36	Pacific Guard.....	F	.....	5th	Fourth.....	Infantry...	Dutch Flat.....	Placer.....	Muskets.
37	Yankee Jim Rifles.....	G	.....	5th	Fourth.....	Infantry...	Yankee Jim's.....	Placer.....	Muskets.
38	National Guard (unattached).....	.....	.....	.....	Fourth.....	Infantry...	Downeville.....	Sierra.....	Muskets.
39	Yolo Union Cavalry (unattached)	.....	.....	.....	Fourth.....	Cavalry...	Woodland.....	Yolo.....	Pistols and sabres.
40	Marysville Light Artillery.....	B	1st .....	.....	Fourth.....	Artillery...	Marysville.....	Yuba.....	4 brass guns (fld. pcs.), with carriages, caissons and accoutrements complete.
41	Oroville Guard (unattached).....	.....	.....	.....	Fifth.....	Infantry...	Oroville.....	Butte.....	Muskets.
42	Lyon Light Infantry (unattached)	.....	.....	.....	Fifth.....	Infantry...	Shasta.....	Shasta.....	Muskets.
43	Siskiyou Light Guard (unattach'd)	.....	.....	.....	Fifth.....	Infantry...	Yreka.....	Siskiyou.....	Muskets.
44	La Porte Guard (unattached).....	.....	.....	.....	Fifth.....	Infantry...	La Porte.....	Plumas.....	Muskets.
45	Trinity Rifles (unattached).....	.....	.....	.....	Fifth.....	Infantry...	Douglas City.....	Trinity.....	Muskets.
46	Red Bluff Guard (unattached).....	.....	.....	.....	Fifth.....	Infantry...	Red Bluff.....	Tehama.....	Muskets.
47	Honey Lake Rangers (unattached)	.....	.....	.....	Fifth.....	Cavalry....	Susanville.....	Lassen.....	Pistols, sabres und rifles.

NOTE.—In addition to above companies, the following organizations were mustered out of the service since last report, viz: First Cavalry Regiment, Field and Staff; First Infantry Battalion, Field and Staff; Fifth Infantry Battalion, Field and Staff; Second Brigade. Field and Staff, Fourth Regiment of Infantry; Field and Staff, Fifth Regiment of Infantry, and Field and Staff, First Battalion Light Artillery—Fourth Brigade.

A L I S T

OF

COMPANIES ORGANIZED AND MUSTERED INTO

THE

STATE SERVICE SINCE LAST REPORT.

ORGANIZED AND MUSTERED INTO STATE SERVICE SINCE LAST REPORT.

Number	Name of company.	Company letter	Battalion.	Regiment	Brigade.....	Arm of service	LOCATION.		Arms.
							Town..	County.	
	Hewston Rifles.....	H	.....	1st	Second	Infantry ..	San Francisco....	San Francisco....	Muskets.
	Meagher Guard, reorganized.....	D	1st	.....	Second	Infantry ..	San Francisco....	San Francisco....	Muskets.
	Emmet Guard, reorganized.....	E	1st	.....	Second	Infantry ..	San Francisco....	San Francisco....	Muskets.
	Sarsfield Guard, reorganized.....	F	1st	.....	Second	Infantry ..	San Francisco....	San Francisco....	Muskets.
	Hewston Guard, unattached.....	.....	.....	.....	Second	Infantry ..	Petaluma.....	Sonoma.....	Muskets.
	Frisbie Guard, unattached.....	.....	.....	.....	Second	Infantry ..	Vallejo.....	Solano.....	Muskets.
	Haight Light Horse Guard.....	D	1st	.....	Second	Cavalry.....	San Francisco....	San Francisco....	Pistols and sabres.
	Red Bluff Guard, unattached.....	A	.....	.....	Fifth.....	Infantry ..	Red Bluff.....	Tehama.....	Muskets.

NOTE.—In addition to above companies, the following organizations were mustered into the State service, viz: Field and Staffs, First Infantry Battalion, reorganized, and Field and Staff, First Cavalry Battalion, Second Brigade.

A ROSTER
OF THE
NATIONAL GUARD OF CALIFORNIA
NOW IN
SERVICE OF THE STATE.

ROSTER OF THE MILITARY FORCE OF THE STATE OF CALIFORNIA—NATIONAL GUARD.

COMMANDER-IN-CHIEF AND STAFF.

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Commander-in-Chief.</i> His Excellency, Gov. H. H. Haight.....	.....	.....	.....	.....
<i>Adjutant-General.</i> James M. Allen.....	Brigadier-General.....	May 1, 1868.....	Sacramento.....	.....
<i>Assistant Adjutant-General.</i> Maze Edwards.....	Major	October 1, 1869.....	Sacramento.....	.....
GENERAL STAFF. <i>Engineer.</i> John B. Frisbie.....	Colonel	May 1, 1864.....	Vallejo.....	.....
<i>Peymaster.</i> Albert S. Evans.....	Colonel	March 1, 1868.....	San Francisco.....	.....
<i>Judge Advocate.</i> Cutler McAllister.....	Colonel	May 1, 1868.....	San Francisco.....	.....
<i>Surgeon.</i> Jonathan Letterman.....	Colonel	November 12, 1868.....	San Francisco.....	.....
<i>Aides-de-Camp.</i> William Doolan.....	Lieutenant-Colonel.....	December 30, 1867. ...	San Francisco.....	.....
C. W. Crocker.....	Lieutenant-Colonel.....	January 18, 1868.....	San Francisco.....	.....
Henry Linden.....	Lieutenant-Colonel.....	April 28, 1869.....	Oakland.....	.....
Cameron H. King.....	Lieutenant-Colonel.....	April 29, 1869.....	Sacramento.....	.....
John Scott.....	Lieutenant-Colonel.....	July 23, 1869.....	Oakland.....	.....

ROSTER OF THE NATIONAL GUARD—Continued.
MAJOR-GENERAL AND STAFF, FIRST DIVISION NATIONAL GUARD.

Name.	Grade.	Date of rank.	Residence.	Remarks.
Lucius H. Allen	Major-General.....	April 24, 1862.....	San Francisco.....	
STAFF.				
<i>Assistant Adjutant-General.</i>				
Samuel C. Ellis.....	Lieutenant-Colonel.....	April 1, 1863.....	San Francisco.....	
<i>Inspector.</i>				
S. O. Houghton.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Engineer Officer.</i>				
A. W. Von Schmidt.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Quartermaster.</i>				
J. H. Stearns.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Paymaster.</i>				
Daniel Norcross.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Judge Advocate.</i>				
J. W. Brumagin.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Surgeon.</i>				
George Hewston, Jr.....	Lieutenant-Colonel.....	June 14, 1862.....	San Francisco.....	
<i>Ordnance Officer.</i>				
T. A. Mudge.....	Lieutenant-Colonel.....	October 20, 1866.....	San Francisco.....	
<i>Commissary.</i>				
.....	Lieutenant-Colonel.....	.....	.....	Vacant.
<i>Aides-de-Camp.</i>				
Samuel P. Middleton.....	Major.....	June 14, 1862.....	San Francisco.....	
James L. Betgea.....	Major.....	October 20, 1866.....	San Francisco.....	

STAFF OF FIRST BRIGADE.

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Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i> Phineas Banning.....	Brigadier-General.....	April 2, 1866.....	Wilmington	
STAFF. <i>Assistant Adjutant-General.</i> William P. Reynolds.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Engineer.</i> George Hansen.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Inspector.</i> Albert Thompson.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Quartermaster.</i> J. R. Tobernian.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Commissary.</i> F. J. G. Margetson.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Ordnance Officer.</i> Matthew Keller.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Papamaster.</i> Ramon Hill.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Judge Advocate.</i> Solomon Hazard.....	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Surgeon.</i> A. B. Hayward	Major.....	August 1, 1866.....	Los Angeles.....	
<i>Aide-de-Camp.</i> Edward E. Hewitt.....	Captain.....	August 1, 1866.....	Los Angeles.....	No companies organized in this brigade since Act of April 2, 1866.

ROSTER OF THE NATIONAL GUARD—Continued.
SECOND BRIGADE.

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i> John Howston, Jr	Brigadier-General.....	February 24, 1864.....	San Francisco	
STAFF. <i>Assistant Adjutant-General.</i> George W. Smiley	Major.....	February 24, 1864.....	San Francisco	
<i>Inspector.</i> John Hill	Major.....	May 12, 1862.....	San Francisco	
<i>Commissary.</i> Charles E. Hinckley	Major.....	March 7, 1865	San Francisco	
<i>Engineer.</i> T. J. P. Lacy.....	Major.....	February 1, 1865.....	San Francisco	
<i>Ordnance Officer.</i> W. Frank Ladd.....	Major.....	March 21, 1863	San Francisco	
<i>Paymaster.</i> James W. Thompson	Major.....	September 1, 1863.....	San Francisco	
<i>Quartermaster.</i> Charles L. Wiggins.....	Major.....	June 21, 1865.....	San Francisco	
<i>Judge Advocate.</i> A. D. Grimwood	Major.....	October 1, 1864	San Francisco	
<i>Surgeon.</i> Samuel R. Geary.....	Major.....	May 12, 1862.....	San Francisco	
<i>Aide-de-Camp.</i> Octavius Bell.....	Captain.....	February 1, 1865.....	San Francisco	

FIRST CALIFORNIA GUARD.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
COMPANY. <i>First California Guard.</i>					
Isaac Bluxome.....	Captain.....	June 5, 1868.....	San Francisco.....	119 men.....	Six Parrott guns, carriages, caissons and accoutrements complete.
Reuben G. Brush.....	Senior First Lieutenant.....	June 1, 1869.....	.....	.....	.....
George W. Chapin.....	Junior First Lieutenant.....	June 1, 1869.....	.....	.....	.....
Fred. W. Eaton.....	Senior Second Lieutenant.....	June 28, 1869.....	.....	.....	.....
Wm. F. Flick.....	Junior Second Lieutenant.....	June 28, 1869.....	.....	.....	.....

FIRST BATTALION OF CAVALRY.

Name.	Grade.	Date of rank.	Residence.	Rank and file.	How armed.
FIELD AND STAFF.					
P. R. O'Brien.....	Major.....	July 24, 1868.....	San Francisco.....	.....	.....
M. A. McLaughlin.....	First Lieutenant and Adj't.....	November 20, 1868.....	San Francisco.....	.....	.....
Wm. Coreoran.....	First Lieut. and Quarterm'r.....	March 3, 1869.....	San Francisco.....	.....	.....
Charles K. Breece.....	First Lieut. and Ass't Surg.....	November 20, 1868.....	San Francisco.....	.....	.....
NON-COMMISSIONED STAFF.					
John R. Middlesworth.....	Sergeant-Major.....	.....	San Francisco.....	2 men.....	.....
A. H. Hill.....	Quartermaster Sergeant.....	.....	San Francisco.....	.....	.....

ROSTER OF THE NATIONAL GUARD—Continued.
SECOND BRIGADE.—FIRST BATTALION OF CAVALRY—Continued.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>COMPANIES.</i>					
<i>Co. A.—First Light Dragoons.</i>					
Chas. F. Robison.....	Captain.....	December 10, 1868.....	San Francisco.....	79 men.....	Pistols and sabres.
M. Doane.....	First Lieutenant.....	September 14, 1867.....	.....	.....	.....
Joel L. Thomas.....	Senior Second Lieutenant.....	December 14, 1868.....	.....	.....	.....
Jas. A. Benson, Jr.....	Junior Second Lieutenant.....	September 14, 1867.....	.....	.....	.....
<i>Co. B.—San Francisco Hussars.</i>					
Donald A. McDonald.....	Captain.....	December 18, 1867.....	San Francisco.....	53 men.....	Pistols.
Christopher Krambeck.....	First Lieutenant.....	November 25, 1868.....	.....	.....	.....
D. C. Preston.....	Senior Second Lieutenant.....	November 25, 1868..	.....	.....	.....
Chas. C. Keene.....	Junior Second Lieutenant.....	November 25, 1868.....	.....	.....	.....
<i>Co. C.—Jackson Dragoons.</i>					
John P. Rafferty.....	Captain.....	September 21, 1868.....	San Francisco.....	47 men.....	Pistols and sabres.
Hugh Dougherty.....	First Lieutenant.....	January 7, 1869.....	.....	.....	.....
Thos. O'Brien.....	Senior Second Lieutenant.....	January 7, 1869.....	.....	.....	.....
Thos. McGinniss.....	Junior Second Lieutenant.....	January 7, 1869.....	.....	.....	.....
<i>Co. D.—Night Light Horse Guard.</i>					
George T. Knox.....	Captain.....	October 29, 1868.....	San Francisco.....	60 men.....	Sabres.
John A. McLaughlin.....	First Lieutenant.....	May 18, 1869.....	.....	.....	.....
Wm. P. Brown.....	Senior Second Lieutenant.....	October 29, 1868.....	.....	.....	.....
John Doyle.....	Junior Second Lieutenant.....	October 29, 1868.....	.....	.....	.....

SECOND BRIGADE—FIRST REGIMENT OF INFANTRY.

Name.	Grade.	Date of rank.	Residence.	Rank and file.	Remarks.
FIELD AND STAFF.					
Wm. H. L. Barnes.....	Colonel.....	November 1, 1869.....	San Francisco.....		
George W. Grannis.....	Lieutenant-Colonel.....	November 1, 1869.....	San Francisco.....		
John F. Bronson.....	Major.....	November 19, 1869.....	San Francisco.....		
James S. Scott.....	First Lieutenant and Adj't.....	November 18, 1866.....	San Francisco.....		Vacant.
Joseph Haine.....	First Lieutenant and R. Q. M. First Lieut. and Asst. Surgeon	October 18, 1864.....	San Francisco.....		
NON-COMMISSIONED STAFF.					
James M. Pike.....	Sergeant-Major.....	.....	San Francisco.....	2 men.....	
John Maskell.....	Quartermaster Sergeant.....	.....	San Francisco.....		
COMPANIES.					
<i>Co. A.—Oakland Guard.</i>					
William C. Little.....	Captain.....	September 9, 1868.....	Station of company. Oakland.....	43 men.....	Muskets.
Charles P. McKay.....	First Lieutenant.....	September 9, 1868.....	.....	
Alfred W. Buwell.....	Second Lieutenant.....	September 9, 1868.....	.....	
<i>Co. B.—City Guard.</i>					
.....	Captain.....	.....	San Francisco.....	49 men.....	Muskets.
Chalmers Scott.....	First Lieutenant.....	October 20, 1868.....	.....	
David Wilder.....	Second Lieutenant.....	October 16, 1866.....	.....	
<i>Co. C.—National Guard.</i>					
George Humphreys.....	Captain.....	January 4, 1869.....	San Francisco.....	88 men.....	Muskets.
George Vaughn.....	First Lieutenant.....	January 4, 1869.....	.....	
Henry J. Burns.....	Second Lieutenant.....	January 4, 1869.....	.....	
<i>Co. D.—San Francisco Guard.</i>					
J. V. McElwee.....	Captain.....	September 1, 1867.....	San Francisco.....	No report.....	Muskets.
R. O. Sheldon.....	First Lieutenant.....	September 21, 1868.....	.....	
James Pennycook.....	Second Lieutenant.....	.....	.....

How Armed.

ROSTER OF THE NATIONAL GUARD—Continued.
SECOND BRIGADE.—FIRST REGIMENT OF INFANTRY—Continued.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>Co. E.—Sumner Light Guard.</i>					
Oscar Woodhams.....	Captain.....	March 3, 1869.....	San Francisco.....	49 men.....	Muskets.
Wm. J. Younger.....	First Lieutenant.....	April 13, 1868.....	.....	.....	.....
Edwin O. Hunt.....	Second Lieutenant.....	May 17, 1869.....	.....	.....	.....
<i>Co. F.—Light Guard.</i>					
Alexander Badlam.....	Captain.....	February 3, 1869.....	San Francisco.....	51 men.....	Muskets.
Mortimer G. Shove.....	First Lieutenant.....	January 4, 1866.....	.....	.....	.....
Christopher J. Cook.....	Second Lieutenant.....	March 2, 1868.....	.....	.....	.....
<i>Co. G.—Ellsworth Rifles.</i>					
James G. Carson.....	Captain.....	November 5, 1866.....	San Francisco.....	55 men.....	Muskets.
Thomas J. Hanley.....	First Lieutenant.....	June 1, 1869.....	.....	.....	.....
James Byrne.....	Second Lieutenant.....	June 18, 1869.....	.....	.....	.....
<i>Co. H.—Hewston Rifles.</i>					
Robert G. Gilmore.....	Captain.....	September 7, 1869.....	San Francisco.....	46 men.....	Muskets.
James A. Gethings.....	First Lieutenant.....	September 7, 1869.....	.....	.....	.....
T. R. Flanagan.....	Second Lieutenant.....	September 7, 1869.....	.....	.....	.....

SECOND REGIMENT OF INFANTRY.

Name.	Grade.	Date of rank.	Residence.	Rank and file.	How armed.
FIELD AND STAFF.					
John W. McKenzie.....	Colonel.....	April 3, 1863.....	San Francisco.....		
John McComb.....	Lieutenant-Colonel.....	September 16, 1867....	San Francisco.....		
Peter Sesser.....	Major.....	August 2, 1869.....	San Francisco.....		
H. H. Thrall.....	First Lieutenant and Adj't.....	April 3, 1864.....	San Francisco.....		
E. Erving Smith.....	First Lieutenant and R. Q. M.....	May 11, 1865.....	San Francisco.....		
James Murphy.....	First Lieut. and Ass't Surg'n.....	January 15, 1864.....	San Francisco.....		
NON-COMMISSIONED STAFF.					
Charles E. Lancaster.....	Sergeant-Major.....	.....	San Francisco.....	2 men.....	
Benjamin C. Fabre.....	Quartermaster Sergeant.....	.....	San Francisco.....		
COMPANIES.					
<i>Co. A.—Union Guard.</i>					
Harvey Lake.....	Captain.....	September 24, 1867....	Station of company.....	43 men.....	Muskets.
Peter B. Quinn.....	First Lieutenant.....	December 6, 1864.....	San Francisco.....		
George W. Lincoln.....	Second Lieutenant.....	December 6, 1865.....	.....	
<i>Co. B.—Veteran Guard.</i>					
James E. Hughes.....	Captain.....	December 16, 1868.....	San Francisco.....	51 men.....	Muskets.
James F. Ray.....	First Lieutenant.....	December 16, 1868.....	.....	
Matthias Cuddy.....	Second Lieutenant.....	December 16, 1868.....	.....	
<i>Co. C.—Franklin Guard.</i>					
Wm. O. Breyfogle.....	Captain.....	October 30, 1867.....	San Francisco.....	61 men.....	Muskets.
Frederick Wilmer Pierce.....	First Lieutenant.....	March 5, 1869.....	.....	
James K. Phillips.....	Second Lieutenant.....	October 18, 1867.....	.....	
<i>Co. D.—Germania Rifles.</i>					
John Snedder.....	Captain.....	May 22, 1868.....	San Francisco.....	67 men.....	Muskets.
George Cantos.....	First Lieutenant.....	May 22, 1868.....	.....	
Chris. Umbach.....	Second Lieutenant.....	May 22, 1868.....	.....	

ROSTER OF THE NATIONAL GUARD—Continued.

SECOND BRIGADE.—SECOND REGIMENT OF INFANTRY—Continued.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>Co. H.—San Francisco Cadets.</i>					
C. E. S. McDonald.....	Captain.....	August 7, 1863.....	San Francisco.....	49 men.....	Muskets.
Ansel C. Robinson.....	First Lieutenant.....	October 12, 1868.....	.....	.....	.....
Alex. A. Cook.....	Second Lieutenant.....	October 12, 1868.....	.....	.....	.....

SECOND BRIGADE.—FIRST BATTALION OF INFANTRY—REORGANIZED.

Name.	Grade.	Date of rank.	Residence.	Rank and file.	Remarks.
<i>FIELD AND STAFF.</i>					
John W. Winters.....	Lieutenant-Colonel.....	September 15, 1868.....	San Francisco.....	.....	.....
Michael C. Bateman.....	Major.....	December 12, 1868.....	San Francisco.....	.....	.....
Timothy Nunan.....	First Lieutenant and Adj't.....	February 22, 1868.....	San Francisco.....	.....	.....
James Alwell.....	First Lieut. and Quartermaster	February 22, 1868.....	San Francisco.....	.....	.....
Thomas Green.....	First Lieut. and Asst. Surgeon	February 22, 1868.....	San Francisco.....	.....	.....
<i>NON-COMMISSIONED STAFF.</i>					
E. P. Earight.....	Quartermaster Sergeant.....	.....	San Francisco.....	.....	.....
Peter McArdle.....	Sergeant-Major.....	.....	San Francisco.....	2 men.....	.....

COMPANIES.	How armed.				
<i>Co. A.—Montgomery Guard.</i>					
Charles Quinn.....	Captain.....	February 22, 1868.....	Station of company, San Francisco	106 men.....	Muskets.
William Lee.....	First Lieutenant.....	February 22, 1868.....	.....	.....	.....
Thomas Bolster.....	Second Lieutenant.....	May 7, 1868.....	.....	.....	.....
<i>Co. C.—Wolfe Tone Guard.</i>					
Archibald Wasson.....	Captain.....	February 25, 1869.....	San Francisco	70 men.....	Muskets.
Dennis McGonigal.....	First Lieutenant.....	February 22, 1869.....	.....	.....	.....
John Leddy.....	Second Lieutenant.....	February 22, 1869.....	.....	.....	.....
<i>Co. D.—Meagher Guard.</i>					
John Egan.....	Captain.....	May 7, 1868.....	San Francisco	47 men.....	Muskets.
Daniel J. Sullivan.....	First Lieutenant.....	March 10, 1869.....	.....	.....	.....
John Dollard.....	Second Lieutenant.....	April 28, 1869.....	.....	.....	.....
<i>Co. E.—Emmet Guard.</i>					
Robert Cleary.....	Captain.....	May 15, 1869.....	San Francisco	45 men... ..	Muskets.
John F. Murphy.....	First Lieutenant.....	May 15, 1869.....	.....	.....	.....
James G. Hayden.....	Second Lieutenant.....	May 15, 1869.....	.....	.....	.....
<i>Co. F.—Sarsfield Guard.</i>					
Charles C. O'Donnell.....	Captain.....	September 8, 1868.....	San Francisco	47 men... ..	Muskets.
John D. Cusheon.....	First Lieutenant.....	September 8, 1868.....	.....	.....	.....
John J. Guilfoyle.....	Second Lieutenant.....	April 1, 1869.....	.....	.....	.....

ROSTER OF THE NATIONAL GUARD—Continued.

SECOND BRIGADE.—UNATTACHED COMPANIES.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>San José Zouaves.</i>					
Theodore C. Winchell.....	Captain.....	September 21, 1868.....	San José.....	57 men.....	Muskets.
Wilmer T. Adel.....	First Lieutenant.....	September 21, 1869.....	.....	.....	.....
Page Hollister.....	Second Lieutenant.....	July 21, 1868.....	.....	.....	.....
<i>Vallejo Rifles.</i>					
James H. K. Barbour.....	Captain.....	November 4, 1867.....	Vallejo.....	53 men.....	Muskets.
William I. Sargent.....	First Lieutenant.....	December 5, 1868.....	.....	.....	.....
James McLaughlin.....	Second Lieutenant.....	December 5, 1868.....	.....	.....	.....
<i>Heuston Guard.</i>					
James Armstrong.....	Captain.....	June 29, 1869.....	Petaluma.....	61 men.....	Muskets.
William H. Rugg.....	First Lieutenant.....	June 29, 1869.....	.....	.....	.....
William Acton.....	Second Lieutenant.....	June 29, 1869.....	.....	.....	.....
<i>Frisbie Guard.</i>					
Charles O. Ferris.....	Captain.....	October 4, 1869.....	Vallejo.....	67 men.....	Muskets.
John G. Kelly.....	First Lieutenant.....	October 4, 1869.....	.....	.....	.....
Edwin A. Ferguson.....	Second Lieutenant.....	October 4, 1869.....	.....	.....	.....

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i> William A. Davies.....	Brigadier-General.....	May 13, 1864.....	Stockton.....	
STAFF. <i>Assistant Adjutant-General.</i> Moses C. Andross.....	Major.....	June 17, 1868.....	Stockton.....	
<i>Engineer Officer.</i> Joseph B. Meader.....	Major.....	December 19, 1864.....	Stockton.....	
<i>Ordnance Officer.</i> James L. Sherry.....	Major.....	November 19, 1864.....	Stockton.....	
<i>Quartermaster.</i> Stephen Wing.....	Major.....	June 17, 1868.....	Columbia.....	
<i>Commissary.</i> Evans S. Pillsbury.....	Major.....	December 10, 1866.....	Stockton.....	
<i>Paymaster.</i> John C. Scribner.....	Major.....	November 18, 1862.....	Columbia.....	
<i>Inspector.</i> Nelson M. Orr.....	Major.....	December 19, 1864.....	Stockton.....	
<i>Judge Advocate.</i> William L. Dudley.....	Major.....	November 19, 1864.....	Stockton.....	
<i>Surgeon.</i> D. M. Baldwin.....	Major.....	November 19, 1864.....	Columbia.....	
<i>Aide-de-Camp.</i> Joseph A. Smith.....	Captain.....	August 7, 1862.....	Columbia.....	No organized companies in this brigade.

ROSTER OF THE NATIONAL GUARD—Continued.
FOURTH BRIGADE.

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i> Josiah Howell.....	Brigadier-General.....	July 25, 1864.....	Sacramento.....	
STAFF. <i>Assistant Adjutant-General.</i> W. A. Anderson.....	Major.....	August 1, 1867.....	Sacramento.....	
<i>Engineer.</i> Lucius H. Foote.....	Major.....	July 12, 1865.....	Sacramento.....	
<i>Ordnance Officer.</i> Joseph S. Friend.....	Major.....	October 21, 1864.....	Sacramento.....	
<i>Quartermaster.</i> William M. Campbell.....	Major.....	May 1, 1865.....	Sacramento.....	
<i>Commissary.</i> I. H. Randolph.....	Major.....	October 21, 1864.....	Jackson.....	
<i>Inspector.</i> Edward M. Howison.....	Major.....	October 7, 1868.....	Sacramento.....	
<i>Paymaster.</i> E. . Bean.....	Major.....	October 21, 1864.....	Nevada.....	
<i>Surgeon.</i> G. L. Simmons.....	Major.....	October 21, 1864.....	Sacramento.....	
<i>Judge Advocate.</i> Edward I. Robinson.....	Major.....	November 22, 1865....	Sacramento.....	
<i>Aide-de-Camp.</i> John D. Yost.....	Captain.....	August 1, 1867.....	Sacramento.....	

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>COMPANIES.</i>					
<i>Sacramento Light Artillery.</i>					
Joseph Davis	Captain	September 29, 1868.....	Sacramento.....	69 men.....	Four brass guns (field pieces), carriages, caissons and accoutrements complete.
Albert Leonard	Senior First Lieutenant.....	September 29, 1868.....	.....	.....	.....
Frederick Sauze.....	Junior First Lieutenant.....	September 29, 1868.....	.....	.....	.....
Richard Dale.....	Senior Second Lieutenant.....	September 29, 1868.....	.....	.....	.....
William Melendez.....	Junior Second Lieutenant.....	September 29, 1868.....	.....	.....	.....
<i>Sacramento Hussars.</i>					
Frank Ebner	Captain.....	June 9, 1868.....	Sacramento.....	45 men.....	Pistols and sabres.
Augustus F. Heibron.....	First Lieutenant.....	August 2, 1867.....	.....	.....	.....
Louis Lothammer.....	Senior Second Lieutenant.....	August 2, 1867.....	.....	.....	.....
Charles Sellinger.....	Junior Second Lieutenant....	August 6, 1869.....	.....	.....	.....
<i>City Guard.</i>					
.....	Captain.....	.....	Sacramento.....	56 men.....	Muskets.
Charles Auer.....	First Lieutenant.....	September 12, 1868.....	.....	.....	.....
Clarence Nelson.....	Second Lieutenant.....	September 12, 1868.....	.....	.....	.....
<i>Ennet Guard.</i>					
F. F. Buckley.....	Captain	June 18, 1869.....	Sacramento.....	57 men.....	Muskets.
John D. Mahany.....	First Lieutenant.....	June 29, 1869.....	.....	.....	.....
Thomas Armstrong.....	Second Lieutenant.....	March 27, 1869 .....	.....	.....	.....
<i>Grass Valley Union Guard.</i>					
William Rule.....	Captain.....	February 10, 1868.....	Grass Valley.....	60 men.....	Muskets.
J. D. Meek.....	First Lieutenant.....	February 10, 1869.....	.....	.....	.....
Charles Richardson.....	Second Lieutenant.....	February 10, 1869.....	.....	.....	.....
<i>Nevada Light Infantry.</i>					
John A. Lancaster.....	Captain.....	April 17, 1865.....	Nevada City.....	63 men.....	Muskets.
M. S. Deal.....	First Lieutenant.....	April 5, 1865 .....	.....	.....	.....
Joseph R. English.....	Second Lieutenant.....	April 6, 1865 .....	.....	.....	.....

ROSTER OF THE NATIONAL GUARD—Continued.

FOURTH BRIGADE—Continued.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>Hovell Zouaves.</i>					
George W. Conaway.....	Captain.....	November 7, 1868.....	Grass Valley	62 men.....	Muskets.
Charles S. Wells	First Lieutenant.....	August 15, 1868.....	.....	.....	.....
Edward A. Parker.....	Second Lieutenant.....	August 15, 1868.....	.....	.....	.....
<i>Yuba Light Infantry.</i>					
Josiah P. Brown.....	Captain.....	November 7, 1863.....	Camptonville	60 men.....	Muskets.
Edward Eaton.....	First Lieutenant.....	January 9, 1869.....	.....	.....	.....
Charles McLellan.....	Second Lieutenant.....	January 9, 1869.....	.....	.....	.....
<i>Placerville City Guard.</i>					
John D. Boop.....	Captain.....	August 24, 1864.....	Placerville.....	51 men....	Muskets.
William Wiltse.....	First Lieutenant.....	August 3, 1869.....	.....	.....	.....
John G. Clifton.....	Second Lieutenant.....	August 3, 1869.....	.....	.....	.....

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i> James C. Royle	Brigadier-General.....	July 12, 1867	Red Bluff	
<i>STAFF.</i> <i>Assistant Adjutant-General.</i> Remembrance H. Campbell.....	Major.....	April 21, 1868.....	Red Bluff.....	
<i>Engineer Officer.</i> Samuel M. Bishop.....	Major.....	April 21, 1868	Red Bluff.....	
<i>Ordnance Officer.</i> John Brady.....	Major.....	April 21, 1868	Red Bluff.....	
<i>Quartermaster.</i> Ranson S. Bettis.....	Major.....	May 17, 1869..... ⁴	Red Bluff	
<i>Commissary.</i> John S. Follansby ..	Major.....	October 21, 1863.....	Shasta....	
<i>Inspector.</i> George C. Perkins	Major.....	April 21, 1868.....	Red Bluff.....	
<i>Paymaster.</i> George A. Witmyer.....	Major.....	May 17, 1869.....	Red Bluff.....	
<i>Judge Advocate.</i> Edwin J. Lewis.....	Major.....	March 9, 1868.....	Red Bluff	
<i>Surgeon.</i> Joseph R. Bradway.....	Major.....	October 3, 1863 .....	.....
<i>Aide-de-Camp.</i> Thomas C. Morris.....	Captain.....	April 21, 1868.....	Red Bluff	

ROSTER OF THE NATIONAL GUARD—Continued.

FIFTH BRIGADE—Continued.

Name.	Grade.	Date of rank.	Station of company.	Rank and file.	How armed.
<i>Co. A.—Red Bluff Guard.</i>					
John S. Hale.....	Captain.....	March 15, 1869.....	Red Bluff.....	54 men.....	Muskets.
Gerald Keegan.....	First Lieutenant.....	March 15, 1869.....	.....	.....	No other companies in this brigade.
Theodore Norman.....	Second Lieutenant.....	March 15, 1869.....	.....	.....

STAFF OF SIXTH BRIGADE.

Name.	Grade.	Date of rank.	Residence.	Remarks.
<i>Brigadier-General.</i>				
Jed. C. Butler.....	Brigadier-General.....	December 4, 1867.....	Ferndale.....	
STAFF.				
<i>Assistant Adjutant-General.</i>				
William F. Huestis.....	Major.....	May 8, 1868.....	Eureka.....	
<i>Engineer Officer.</i>				
George W. Week.....	Major.....	May 8, 1868.....	.....
<i>Ordnance Officer.</i>				
John A. Baxter.....	Major.....	September 10, 1864.....	.....
<i>Quartermaster.</i>				
Edward J. Dodge.....	Major.....	May 8, 1868.....	.....

<i>Commissary.</i>				
J. Davison	Major.....	September 10, 1864.....	.....	.....
<i>Paymaster.</i>				
R. S. McLellan	Major.....	September 10, 1864.....	.....	.....
<i>Inspector.</i>				
Alexander Buzzard.....	Major.....	December 17, 1864.....	.....	.....
<i>Judge Advocate.</i>				
.....	Major.....	.....	.....	.....
<i>Surgeon.</i>				
F. Knox	Major.....	September 10, 1864....	.....	.....
<i>Aide-de-Camp.</i>				
Sherman H. Leach.....	Captain.....	May 8, 1868.....	.....	.....
No organized companies in this brigade.				

ESTIMATED EXPENSES
OF THE
NATIONAL GUARD OF CALIFORNIA,
FOR A PART OF THE
TWENTY-FIRST AND THE WHOLE OF THE TWENTY-SECOND FISCAL YEARS,
ENDING JUNE 30, 1871.
FROM JANUARY 1, 1870.

ESTIMATED EXPENSES

OF THE

NATIONAL GUARD OF CALIFORNIA.

*For a part of the twenty-first and the whole of the twenty-second fiscal years,
ending June 30th, 1871—from January 1st, 1870.*

First Light Dragoons, Company A, First Battalion Cavalry, Second Brigade.....	\$900
San Francisco Hussars, Company B, First Battalion Cavalry, Second Brigade.....	900
Jackson Dragoons, Company C, First Battalion Cavalry, Sec- ond Brigade.....	900
Haight Light Horse Guard, Company D, First Battalion Cav- alry, Second Brigade.....	900
Oakland Guard, Company A, First Regiment Infantry, Second Brigade.....	900
City Guard, Company B, First Regiment Infantry, Second Brigade.....	900
National Guard, Company C, First Regiment Infantry, Second Brigade.....	900
Sumner Light Guard, Company E, First Regiment Infantry, Second Brigade.....	900
Light Guard, Company F, First Regiment Infantry, Second Brigade.....	900
Ellsworth Rifles, Company G, First Regiment Infantry, Second Brigade.....	900
Hewston Rifles, Company H, First Regiment Infantry, Second Brigade.....	900
Union Guard, Company A, Second Regiment Infantry, Second Brigade.....	900
Veteran Guard, Company B, Second Regiment Infantry, Second Brigade.....	900
Carried forward.....	\$11,700

ESTIMATED EXPENSES—Continued.

Brought forward.....	\$11,700
Franklin Guard, Company C, Second Regiment Infantry, Second Brigade.....	900
Germania Rifles, Company D, Second Regiment Infantry, Second Brigade.....	900
Steuben Guard, Company E, Second Regiment Infantry, Second Brigade.....	900
San Francisco Cadets, Company H, Second Regiment Infantry, Second Brigade.....	900
Montgomery Guard, Company A, First Battalion Infantry, Second Brigade.....	900
Wolfe Tone Guard, Company C, First Battalion Infantry, Second Brigade.....	900
Meagher Guard, Company D, First Battalion Infantry, Second Brigade.....	900
Emmet Guard, Company E, First Battalion Infantry, Second Brigade.....	900
Sarsfield Guard, Company F, First Battalion Infantry, Second Brigade.....	900
First California Guard, unattached artillery, Second Brigade...	2,700
Vallejo Rifles, unattached, Second Brigade.....	900
Frisbie Guard, unattached, Second Brigade.....	900
San José Zouaves, unattached, Second Brigade.....	900
Hewston Guard, unattached, Second Brigade.....	900
City Guard, unattached, Fourth Brigade.....	900
Emmet Guard, unattached, Fourth Brigade.....	900
Grass Valley Union Guard, unattached, Fourth Brigade.....	900
Nevada Light Guard, unattached, Fourth Brigade.....	900
Yuba Light Infantry, unattached, Fourth Brigade.....	900
Howell Zouaves, unattached, Fourth Brigade.....	900
Placerville City Guard, unattached, Fourth Brigade.....	900
Sacramento Hussars, unattached, Fourth Brigade.....	900
Sacramento Light Artillery, unattached, Fourth Brigade.....	1,800
Red Bluff Guard, unattached, Fifth Brigade.....	900
Regimental allowance, First Infantry, Second Brigade.....	270
Regimental allowance, Second Infantry, Second Brigade.....	270
Battalion allowance, First Infantry, Second Brigade.....	96
Battalion allowance, First Cavalry, Second Brigade.....	72
Brigade allowance, Second Brigade.....	540
Brigade allowance, Fourth Brigade.....	162
Brigade allowance, Fifth Brigade.....	18
Total.....	\$37,328

The above is the estimated expenses of the companies, regiments, battalions and brigades now in service, for armory rents and incidental expenses, under the amendatory law, approved March thirtieth, eighteen hundred and sixty-eight. In the event of the National Guard being recruited to the full maximum allowed by law, it will be plainly seen that the present allowance for military purposes is totally inadequate for the proper maintenance of a thorough organization.

A L I S T
OF
OFFICERS AND ENROLLED MEN
OF THE
CALIFORNIA VOLUNTEERS
WHO DIED
WHILE IN THE SERVICE OF THE UNITED STATES.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS,

Who died in the service of the United States.

Co.	Regiment.	Name.	Rank.	When, where and cause.
A				
A or C	First Cavalry.....	Argo, Henry E., or C.....	Private.....	March 23, 1862. Camp Drum.
B	Second Cavalry.....	Atwood, Elijah A.....	Sergeant.....	November 22, 1861. Camp Alert. Typhoid fever.
I	Second Cavalry.....	Anthony, Asa.....	Private.....	December 31, 1861.
K	Second Cavalry.....	Anderson, Lewis.....	Private.....	January 29, 1863. Killed at battle of Bear River.
F	First Infantry.....	Aspell, Samuel H.....	Sergeant.....	April 11, 1862. New San Diego.
A	Second Infantry.....	Appleton, George.....	Sergeant.....	December 30, 1861. Fort Dalles. Accidentally shot.
C	Second Infantry.....	Arnor, Robert H.....	Private.....	April 20, 1863. Camp Lincoln.
F	Fifth Infantry.....	Aikens, Nicholas M.....	Private.....	May 15, 1863. En route to Arizona.
B	Second Infantry.....	Anderson, James.....	Private.....	May 17, 1864. Fort Tejon. From a knife wound received near Tejon.
B	Fifth Infantry.....	Appleton, Jonathan R.....	Private.....	April 13, 1864. Franklin, Texas.
B	Fifth Infantry.....	Anderson, Samuel.....	Private.....	April 9, 1864. Franklin, Texas.
K	First Cavalry.....	Anderson, Joseph S.....	Private.....	June 10, 1865. Fort Larnard, Kansas. Killed by private Powers.
A	First Cavalry.....	Allyne, Samuel H.....	Second Lieutenant.....	December 29, 1863. San Elizario, Texas. Killed by a pistol shot by a member of his company.
K	First Cavalry.....	Armstrong, Monroe.....	Private.....	August 20, 1865. Fort Union, New Mexico. Of disease.
D	Second Cavalry.....	Austin, Charles.....	Private.....	February 15, 1866. Rock Cañon, Nevada. By Indians.
E	Second Cavalry.....	Adams, John.....	Private.....	November 9, 1865. Camb Babbitt, California. Disease of brain.
A	Eighth Infantry.....	Atchison, James M.....	Private.....	January 5, 1865. Fort Point, California.
F	Eighth Infantry.....	Armstrong, William.....	Private.....	February 24, 1865. San Francisco, California.
M	Second Cavalry.....	Anthony, Stephen.....	Sergeant.....	February 6, 1863. Camp Douglas. Of wounds.
E	First Infantry.....	Applegate, David C.....	Private.....	October 25, 1865. Murdered near Fort Craig, New Mexico.
G	Seventh Infantry.....	Adams, George W.....	Private.....	February 21, 1866. Fort Mason, Arizona Territory. Disease.
B				
A	First Cavalry.....	Bissell, Henry.....	Private.....	June 16, 1862. Camp Stanford. Shot himself.
I	First Cavalry.....	Boyd, Patrick.....	Private.....	September 22, 1863. Camp Stanford.
L	Second Cavalry.....	Brown, Alexander.....	Private.....	March 18, 1862. Camp Alert.
H	Second Cavalry.....	Baldwin, James W., or H.....	Private.....	January 29, 1863. Killed in battle of Bear River.
I	Second Cavalry.....	Briggs, John K.....	Private.....	January 29, 1863. Killed in battle of Bear River.
I	First Infantry.....	Buck, Charles O.....	Private.....	November 14, 1862. Fort Craig.
C	First Infantry.....	Brill, Frederick.....	Private.....	December 9, 1862. Mesilla, Arizona Territory. Accidentally poisoned.
I	First Infantry.....	Barbour, John.....	Private.....	November 14, 1862. Fort Craig.

Co.	Regiment.	Name.	Rank.	When, where and cause.
E	Third Infantry.....	Burgher, Jacob.....	Private.....	June 23, 1863. Cañon Station. Killed by Indians.
F	Third Infantry.....	Bishop, Solomon S.....	Private.....	November 26, 1861. Benicia Barracks.
G	Second Infantry.....	Brooks, M. B.....	Private.....	June 5, 1863. Camp Lincoln. Accidentally shot.
B	Fourth Infantry.....	Baldwin, Edward.....	Private.....	December 23, 1861. Vancouver, Washington Territory.
C	Fourth Infantry.....	Bullard, Joseph.....	Private.....	October 2, 1862. Benicia Barracks.
G	Fourth Infantry.....	Beck, J. A.....	Private.....	December 17, 1861. Camp Sigel. Disease of throat and lungs.
H	Fourth Infantry.....	Behn, Ferdinand.....	Private.....	April 29, 1862. La Paz, New Mexico. Effect of pistol shot wound received April 20, 1862.
G	Fourth Infantry.....	Bourke, Thomas.....	Private.....	December 20, 1863. New San Diego Barracks. Suicide by shooting with rifle.
C	Fifth Infantry.....	Brannon, Edward.....	Private.....	October 5, 1862. Fort Yuma. Drowned in Colorado River.
K	Fifth Infantry.....	Bradish, David.....	Private.....	December 18, 1861. Deserted Camp Union. Afterwards found drowned.
H	Fifth Infantry.....	Burton, James C.....	Musician.....	February 19, 1864. In hospital at Las Cruces, New Mexico.
H	Fifth Infantry.....	Brewer, William.....	Private.....	February 10, 1864. In hospital at Las Cruces, New Mexico.
C	First Batt. Mount'ns.	Blum, John.....	Private.....	July 31, 1863. Fort Humboldt. From wounds received in battle of Redwood Creek, July 7, 1863.
M	First Cavalry.....	Bell, Jesse.....	Private.....	March 4, 1864. Drum Barracks.
B	First Infantry.....	Barnes, John D.....	Private.....	May 6, 1864. Camp Bidwell. Shot by Indians.
G	Third Infantry.....	Becker, Samuel E. W.....	Private.....	July 23, 1864. Camp Douglas, Washington Territory. For promotion.
A	Sixth Infantry.....	Brothers, Michael.....	Corporal.....	June 21, 1864. Aleutracas Island. Disease.
A	Sixth Infantry.....	Barrett, Thomas.....	Private.....	June 21, 1864. Aleutracas Island. Disease.
F	Fifth Infantry.....	Brehmer, John W.....	Private.....	July 23, 1862. Tucson, Arizona Territory. Disease.
F	Third Infantry.....	Brown, Charles.....	Private.....	July 13, 1864. Insane asylum, Washington, District of Columbia.
F	First Cavalry.....	Brown, William H.....	Private.....	November 14, 1864. San Elizario, Texas. Disease of the heart.
L	First Cavalry.....	Bair, John F.....	Sergeant.....	October 14, 1864. Tubac, Arizona Territory.
D	First Infantry.....	Bay, Jacob.....	Private.....	November 8, 1863. Fort West, New Mexico. Killed by Indians.
K	Sixth Infantry.....	Brooks, Franklin K.....	Private.....	February 19, 1865. San Francisco Presidio.
F	First Cavalry.....	Boyes, Enoch.....	Sergeant.....	January 4, 1865. San Elizario. Pneumonia.
C	Eighth Infantry.....	Ballentack, William.....	Private.....	June 5, 1865.
A	First Cavalry.....	Barrett, James.....	Lieutenant.....	April 15, 1862. Piecho Paio, or Station, Arizona Territory. Killed in action with a rebel picket.
C	First Cavalry.....	Brown, Arthur M.....	Private.....	April 27, 1863. Santa Fé, New Mexico.
I	First Cavalry.....	Barber, Charles.....	Private.....	October 22, 1865. Fort Goodwin, Arizona Territory. Disease.
K	First Cavalry.....	Boyle, Solomon.....	Private.....	March 23, 1866. On Salado Desert. Supposed to have perished.
M	Second Cavalry.....	Berry, David J.....	Captain.....	May 9, 1865. Camp Union, California. Inflammation of bowels, liver and lungs; received bullet wounds through shoulder at Bear River.

G	First Cavalry	Blackford, Robert A.	Private	May 13, 1866. One mile north of Fort Wingate, New Mexico. Killed by lightning while on duty. (See letter of McCormick.)
B	First Cavalry	Bradley, James	Corporal	September 4, 1866. Died from effects of pistol shot wounds.
B	First Cavalry	Brownlow, John H.	Corporal	May 29, 1866. Died at Hot Springs, Las Vegas.
C	First Cavalry	Brown, John	Corporal	May 4, 1866. Died at Camp Miembres, New Mexico.
C	First Cavalry	Burnet, Henry	Private	May 29, 1866. Killed by Indians, while en route to Fort Cummings, New Mexico; body found near Magdalena Cañon.
B	First Batt. Mount'rs.	Barnes, James B.	Private	May 6, 1864. Boyington Prairie, California. Killed by Indians.
A	Native Cavalry	Baldes, Joaquín	Private	November 3, 1865. At Tubac, Arizona Territory.
A	Native Cavalry	Balencia, Francisco	Private	At San Rafael, while on furlough.
B	First Infantry	Butherford, James F.	Private	April 11, 1866.
I	Second Infantry	Brien, John	Private	March 28, 1866. Disease.
II	First Infantry	Biggs, Marion F.	Private	November 25, 1861. At Camp Union, Sacramento, California.
H	Fifth Infantry	Brown, John	Private	June 3, 1863. Drowned in Rio Colorado.
H	Fifth Infantry	Barns, James N.	Private	February 26, 1866. Fort Mason, Arizona Territory. Disease.
G	Seventh Infantry	Bender, Damian	Private	October 22, 1865. Fort Mason, Arizona Territory. Disease.
E	Seventh Infantry			
D				
L	Second Cavalry	Duwall, Robert W.	Private	April 11, 1863.
E	Second Cavalry	Dowling, John K.	Private	December 29, 1863. Accidentally shot.
L	Second Cavalry	Dohy, Leonard	Private	March 15, 1864. Camp Douglas.
K	First Infantry	Dugan, Nicholas	Private	July 28, 1862. Fort Yuma. Disease of heart.
F	First Infantry	Dixon, William	Private	August 22, 1862. Mesilla, New Mexico. Fever.
F	First Infantry	Dean, William	Private	February 8, 1863.
G	First Infantry	Dean, William	Private	June 14, 1862. Humboldt Bay. Drowned.
A	Second Infantry	Davis, George	Private	January 25, 1863. Camp Lincoln.
C	Second Infantry	Devine, Timothy	Corporal	May 12 (or 29), 1863. Camp Halleek.
C	Second Infantry	Doran (or Dolan), Michael	Private	November 29, 1863. Fort Douglas.
G	Third Infantry	Dunn, Daniel	Private	August 29, 1862. Los Angeles. Drowned.
II	Fourth Infantry	Daker, John	Private	January 2, 1864. New San Diego. Concussion of brain.
G	Fourth Infantry	Dyer, John	Private	August 1, 1863. Fort Yuma.
F	Fourth Infantry	Dooley, Robert	Private	October 25, 1862. Tucson, Arizona Territory.
D	First Infantry	Decoster, Samuel	Private	March 6, 1864. Fort Gaston, California. Neuralgia.
B	First Batt. Mount'rs.	Duncan, Reuben	Private	March 24, 1864. Near Pichlo, New Mexico. Killed by Indians.
B	First Infantry	Donylas, James	Private	May 4, 1864. Doubtful Cañon, New Mexico. Missed in action.
I	Fifth Infantry	Dosher, Henry J.	Private	December 16, 1864. Presidio, San Francisco.
B	Eighth Infantry	Donovan, Patrick	Private	December 1, 1864. Panama, New Granada. Shot and killed. (Guard on steamer.)
F	Second Infantry	Daily, Jeremiah	Private	February 11, 1865. Presidio. Disease.
II	Second Infantry	Doekery, Hugh	Private	March 17, 1865. Presidio. Drowned.
F	Seventh Infantry	Davis, David	Private	

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
K	Seventh Infantry.....	Doubleday, Frank.....	Private.....	March 21, 1865. Supposed to have fallen overboard from the steamer, although he may have gone ashore from the forward gangway, as he informed several men that he was going back to the hospital at the Presidio; was in ranks when company marched on board Senator; his musket, knapsack and canteen here, were taken on board by himself.
L	Second Cavalry.....	Dolan, James F.....	Corporal.....	Deserted. Believed by some was killed by the special police at Salt Lake.
H	Second Infantry.....	Dempsey, James.....	Private.....	July 12, 1865. Presidio. Delirium tremens.
B	Second Cavalry.....	Davis, John W.....	Private.....	July 12, 1865. Dun Glen. Mountain fever.
B	First Cavalry.....	Dontremont, Victor.....	Private.....	August 28, 1863. Died at Fort Stanton, New Mexico, from wounds by a sabre.
G	First Cavalry.....	Dougherty, William.....	Private.....	December 7, 1865. At Fort Sumner, New Mexico.
D	National Cavalry.....	Duarte, Francisco.....	Private.....	October 23, 1865. Shot at Fort Mason, Arizona Territory.
F	First Infantry.....	Dunleavy, George.....	Private.....	January 28, 1864. At Las Pinos, New Mexico, while on duty.
M	Second Cavalry.....	Davis, William.....	Private.....	February 3, 1863. At Ogden, Utah Territory, of wounds.
G	First Infantry.....	Dickey, George S.....	Private.....	August 28, 1863. Killed in action with Indians.
G	First Infantry.....	Daley, Thomas.....	Private.....	January 17, 1866. Killed in action with Indians.
G	First Infantry.....	Devlin, Charles.....	Private.....	January 17, 1866. Killed in action with Indians.
H	First Infantry.....	Davis, Jas. M.....	Private.....	January 18, 1864. Fever.
B	Third Infantry.....	Davis, James.....	Private.....	October 29, 1864. At Camp Union, California.
B	Fourth Infantry.....	Deporte, Henry.....	Private.....	November 7, 1865. At Fort Gaston. Congestion of brain.
G	Fourth Infantry.....	Doldridge, Benj. F.....	Private.....	August 1, 1864. At New San Diego Barracks.
F	Sixth Infantry.....	Darley, Jeremiah.....	Private.....	December 1, 1864. Shot by Sergeant (commanding of Company I, Sixth Infantry, commanding steamer guard at Panama.
D	Seventh Infantry.....	Drynath, Jno. B.....	Corporal.....	December 31, 1865. Fort Mason, Arizona Territory. Disease.
L	First Cavalry.....	Emery, Charles H.....	Corporal.....	September 6, 1863. Drowned in Sacramento River.
M	First Cavalry.....	Ellis, Frederick.....	Private.....	June 30, 1863. Drowned in American River, near Sacramento.
B	Third Infantry.....	Emerson, Charles H.....	Private.....	(No date). Fort Bragg. Accidental.
E	Third Infantry.....	Elliot, Jacob H.....	Private.....	June 23, 1863. Killed by Indians at Cañon Station.
H	Fifth Infantry.....	Evans, Wilber.....	Corporal.....	October 3, 1863. Las Cruces.
L	First Cavalry.....	English, George.....	Private.....	February 17, 1865. Missing in action at Fort Buchanan, with Indians. March 31st—No doubt exists but that he was killed by Indians.
A	Batt. Mountaineers.....	Evans, Thos. R.....	Private.....	April 2, 1865. At Fort Humboldt, California.
C	First Infantry.....	Edwards, Geo. F.....	Corporal.....	November 22, 1865. At Fort Craig, New Mexico. Killed by Indians.
I	Third Infantry.....	Eltz, Frederick.....	Private.....	May 26, 1863. At Fort Bridger. Congestion of lungs.

A	First Cavalry	F	Freeman, William	Private	April 14, 1863, Fort West, Arizona Territory. Colic.
A	First Cavalry		Foster, Frederick W	Private	July 27, 1862, Fort Yuma. Apoplexy.
I	First Cavalry		Fimple, Pardon C	Private	July 16, 1862, Fort Craig.
B	Fifth Infantry		Foster, Frederick	Private	November 8, 1862, Fort Craig.
F	Fifth Infantry		Frew, John	Private	February 26, 1862, Camp Kellogg. Drowned.
D	First Reg't Cavalry		Fisher, Joseph	Private	March 4, 1864, Walley's Ranch, New Mexico. Of wounds.
G	Fifth Infantry		Fetridge, Thomas M	Private	October 8, 1864, Las Cruces. Shot while on escort duty at Water Holes.
D	First Battalion N. C.		Feliciano, Verongo	Private	November 19, 1864, Shot by accident at Wilmington.
D	Second Cavalry		Farr, Jedediah	Private	January 5, 1865, Camp Union. Disability.
D	Second Cavalry		Farrell, Michael J	Private	February 17, 1865, Camp Union. Disability.
B	Second Cavalry		Farrell, Michael J	Private	April 11, 1865, Camp Union. Tic douloureux and meningitis.
F	First Cavalry		Faue, Martin	Private	May 8, 1865, Fort Craig. In hospital.
E	First Veteran Infantry		Foot, Chas. S	Private	May 1, 1865, La Mesa, New Mexico. Found murdered.
F	First Cavalry		Francis, John	Private	March 3, 1866, Drowned in Gila River.
H	Second Cavalry		Frankley, Patrick	Corporal	February 9, 1863, At Camp Douglas. Of wounds.
H	Second Cavalry		Fanning, Wm. D	Private	January 18, 1866, At Fort Mohave. Of disease.
G	Fifth Infantry		Fairchilds, John	Private	February 12, 1863, At Fort Craig, New Mexico. Of fever.
G	Seventh Infantry		Francy, Moses	Private	September 9, 1865, Drum Barracks. Disease.
			G		
A	Second Cavalry		Gillespie, Christopher	Sergeant	April 9, 1862, Owens River. Killed by Indians.
A	Second Cavalry		German, George	Private	January 29, 1863, Bear River. Killed in battle.
M	Second Cavalry		Griffin, Daniel	Private	August 9, 1863, Fort Bridger, Utah Territory.
E	Third Infantry		Grimshaw, Thomas	Private	July 6, 1863, Canon Station. Killed by Indians.
K	Fifth Infantry		Grimes, Michael	Private	June 19, 1862, Fort Yuma. Drowned.
H	Second Infantry		Gilday, Patrick	Private	May 20, 1864, Fort Gaston. Drowned.
K	First Cavalry		Gainer, Joseph	Private	January 11, 1865, Fort Bascom, New Mexico.
K	First Cavalry		Goodman, James	Private	June 17, 1864, Fort Craig. Drowned in Rio Grande.
K	First Cavalry		Garner, Joseph	Private	June 11, 1865.
K	First Cavalry		Goodman, James	Private	June 27, 1864.
H	Second Cavalry		Goodman, Thos. F	Private	October 7, 1863, Camp Douglas, Utah Territory.
D	Native Cavalry		Gomez, Francisco	Sergeant	October 16, 1864, Drum Barracks, California.
I	Second Cavalry		Gaylord, Geo. P	Private	November 8, 1865, Camp McDermit. Typhoid fever.
C	First Infantry		Gilmour, Geo. A	Private	November 22, 1865, Fort Craig, New Mexico. Killed by violence.
E	Seventh Infantry		Gemmil, Jno. M	Private	December 2, 1865, Fort Mason, Arizona Territory. Disease.
			H		
B	First Cavalry		Hall, James	Private	April 6, 1863, Red Bonito. From wounds received in Indian fight.
D	Second Cavalry		Hosstetter, W. S	Private	December 1, 1862.
D	Second Cavalry		Hallinan, James S	Private	March 4, 1862.
H	Second Cavalry		Hallowell, Charles L	Private	January 29, 1863, Bear River. Killed in battle.
M	Second Cavalry		Hoten, George W	Private	January 29, 1863, Bear River. Killed in battle.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
M	Second Cavalry.....	Howard, Asa F.....	Wagoner.....	January 29, 1863. Bear River. Killed in battle.
I	Second Cavalry.....	Highaker, George.....	Private.....	February 16, 1862. Camp Drum. Disease of heart.
L	Second Cavalry.....	Iyer, Mathew.....	Bugler.....	January 13, 1864. Camp Douglas. Inflammation of lungs.
L	Second Cavalry.....	Ifecox, James M.....	Private.....	July 2, 1863. Santa Cruz.
D	First Infantry.....	Hall, Thomas W.....	Private.....	September 10, 1862. Tucson.
G	First Infantry.....	Handy, William W.....	Corporal.....	February 6, 1863.
B	Second Infantry.....	Harper, Conrad H.....	Private.....	January 3, 1862. Fort Haskins, Oregon. Pleurisy.
E	Second Infantry.....	Harrington, John.....	Private.....	March 15, 1862. Fort Vancouver.
I	Second Infantry.....	Harkin, John.....	Private.....	February 9, 1864. Fort Humboldt. Drowned accidentally.
E	Third Infantry.....	Hervey, William S.....	Corporal.....	June 23, 1863. Near Cañon Station. Killed by Indians.
A	Fourth Infantry.....	Hubbard, Ansel.....	Private.....	April 23, 1862.
G	Fourth Infantry.....	Holmes, Thomas.....	Private.....	February 25, 1864. New San Diego Barracks. Inflammation of bowels.
K	Fourth Infantry.....	Henry, Thomas.....	Private.....	February 4, 1863. Benicia Barracks Hospital.
I	Fifth Infantry.....	Henderson, David.....	Private.....	July 19, 1862. Fort Yuma.
D	Fifth Infantry.....	Hixenbaugh, William F.....	Private.....	December 24, 1863. Fort Yuma.
E	First Batt. Mount'ns.	Hoskins, John D.....	Private.....	February 21, 1864. Fort Humboldt. Consumption.
I	Third Infantry.....	Hayden, Charles.....	Private.....	April 6, 1864. Fort Bridger, Utah Territory. Diphtheria.
E	Fourth Infantry.....	Healey, Daniel.....	Private.....	May 30, 1864. Fort Yuma, California. Drowned.
C	Second Cavalry.....	Howard, Spencer.....	Corporal.....	June 12, 1864. Fort Crook. Disease.
A	First Infantry.....	Hancock, George S.....	Private.....	April 21, 1864. Santa Fe, New Mexico. Pneumonia.
C	Fifth Infantry.....	Helmes, Edward.....	Private.....	July 5, 1864. Fort Goodwin, Arizona Territory. Disease.
A	Fifth Infantry.....	Hussey, William.....	Private.....	July 1, 1862. Pinos Altos, Arizona Territory. Killed in action.
A	Fifth Infantry.....	Howard, George.....	Private.....	June 20, 1863. Fort Stanton, New Mexico. Softening of the brain.
A	Fifth Infantry.....	Hinkley, John.....	Private.....	June 21, 1863. Gallina Springs. Killed by Indians.
I	Fifth Infantry.....	Henderson, David.....	Private.....	July 18, 1862. Fort Yuma.
G	Sixth Infantry.....	Hooper, George H.....	Private.....	April 26, 1865. Monterey.
F	Fourth Infantry.....	Hoyle, John.....	Private.....	April 30, 1865. Presidio, San Francisco.
B	First Veteran Infantry	Haskell, Daniel B.....	Captain.....	May 9, 1865. Drowned in attempting to cross the Rio Grande.
A	Seventh Infantry.....	Hendley, John.....	Private.....	June 2, 1865. Fort Yuma. Disease.
M	First Cavalry.....	Hedrick, Daniel W.....	Private.....	February 17, 1866. Town of Robles, New Mexico. Murdered.
A	Native Cavalry.....	Higuera, Francisco.....	Sergeant.....	November 19, 1863. Fort Mason, Arizona Territory.
I	Second Cavalry.....	Hudson, Frank.....	Private.....	June 16, 1865. Camp Union, California. Hanged for killing Lieutenant Livegood.
I	Second Cavalry.....	Herford, Augustus D.....	Corporal.....	July 26, 1863. Paradise Valley. Killed by Indians.
I	Second Cavalry.....	Henry, Peter.....	Private.....	May 25, 1866. Camp McDermitt. Brain disease.
K	First Cavalry.....	Hinman, Robert.....	Private.....	November 11, 1861. Camp Alert. Disease of the heart.

G	First Infantry.....	Hunter, Louis S.....	Private	January 17, 1856. Killed in action with Indians.
I	Third Infantry.....	Hallman, Martin.....	Private	December 16, 1863. Fort Bridger.
A	Fourth Infantry.....	Hubbard, Asil.....	Private	April 23, 1862. From wounds.
F	Fourth Infantry.....	Hope, John.....	Private	April 30, 1865. In hospital at Presidio of San Francisco.
F	Fourth Infantry.....	Hutchings, Moses.....	Private	October 26, 1865. In hospital at Fort Humboldt.
G	Sixth Infantry.....	Howard, George H.....	Private	April 26, 1865. Monterey Barracks. Disease.
B	Seventh Infantry.....	Hayes, Andrew A.....	Private	February 16, 1865. Presidio of San Francisco. Consumption.
G	Seventh Infantry.....	Harden, Albert.....	Private	December 11, 1865. Fort Mason, Arizona Territory. Disease.
H	Seventh Infantry.....	Hammond, William H.....	Private	May 24, 1865. Drum Barracks. Disease.
I-J				
I	Seventh Infantry.....	Isenman, Frank.....	Private	February 6, 1865. Presidio of San Francisco. Disease.
A	First Cavalry.....	Johnson, George.....	Private	April 15, 1862. Pacheco Pass. Killed in skirmish.
H	First Cavalry.....	Johnson, Joseph.....	Recruit	February 1, 1864. Camp Union. (Not mustered.)
G	Second Cavalry.....	Joyce, David K.....	Private	June 21, 1863. Camp Independence. Disease of heart.
K	First Infantry.....	Jones, William.....	Private	December 29, 1862. Tucson. Ileptitis chronica.
F	Third Infantry.....	Jones, William C.....	Corporal	April 27, 1862. Benicia Barracks.
F	Third Infantry.....	Johnson, Stacy D.....	Private	April 17, 1862. Benicia Barracks.
G	Third Infantry.....	Jones, Frederick.....	Private	October 28, 1864. Great Salt Lake City. Assassinated.
G	First Cavalry.....	Johnson, John.....	Private	December 31, 1864. Franklin, Texas. Of fever.
E	Third Infantry.....	Jones, Thomas.....	Private	June 23, 1865. Fort Ruby. Diabetes.
L	First Cavalry.....	Jones, John L.....	Private	July 14, 1865. Croton Springs, Arizona Territory. Killed by Indians.
M	Second Cavalry.....	Jones, Charles T.....	Sergeant.....	April 8th, 1865. Fort Crook, California. Disease.
G	Second Cavalry.....	Jefferson, Lincoln.....	Sergeant.....	January 10, 1866. Camp Douglas. Typhoid fever.
M	First Infantry.....	Johnson, Robert S.....	Private	July 20, 1863. Killed in action with Indians.
E	First Infantry.....	Jellings, James.....	Private	June 15, 1864.
G	Seventh Infantry.....	Judd, Arthur V.....	Private	May 5, 1866. Fort Mason. Disease.
K				
B	First Cavalry.....	Keith, James F.....	Private	June 25, 1862. Apache Pass. Killed by Indians.
D	First Cavalry.....	Knoke, Albert.....	Private	July 12, 1863. Near Socorro, New Mexico. Killed by guards of First Infantry, while carrying express.
K	Second Cavalry.....	Kinman, Robert.....	Private	November 11, 1861. Camp Alert.
B	Second Infantry.....	Karshaw, Daniel.....	Private	August 15, 1862. Dowe's Prairie, near Arcata. Shot for refusing to answer challenge of sentry.
A	Fourth Infantry.....	Keenan, Terrence.....	Private	May 1, 1862. Fort Churchill.
E	Fourth Infantry.....	Klenihoff, Peter.....	Private	July 17, 1863. Benicia Barracks. Shot to death by musketry (G. O. War Department, May 26, 1863).
G	Third Infantry.....	Kibbe, Edward.....	Private	April 5, 1864. Camp Douglas, Utah Territory.
B	Fifth Infantry.....	Kimball, Charles M.....	Private	March 20, 1864. Franklin, Texas.
C	First Cavalry.....	Kimberley, Nathaniel C.....	Bagler.....	June 12, 1864. Camp Mimbres, New Mexico. Disease.
D	Third Infantry.....	Kelly, Barney.....	Private	March 20, 1865. Great Salt Lake City. Suicide, by shooting himself with pistol.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
A	First Cavalry.....	Kerr, Robert.....	Private.....	March 20, 1864. Franklin, Texas. Shot by S. G. Court-martial, for the murder of Lieutenant Allynac.
G	First Infantry.....	Kowlett, William.....	Private.....	July 6, 1864. Drowned in the Rio Grande.
H	First Infantry.....	Kelley, John.....	Private.....	December 10, 1863. At Las Pinos, New Mexico. Of lung fever.
E	Seventh Infantry.....	Kelley, Wm. H.....	Sergeant.....	July 22, 1865. Killed by Indians, seventy miles east of Tubac.
G	Seventh Infantry.....	Kelty, Timothy.....	Private.....	November 3, 1865. Fort Mason. Disease.
I	First Cavalry.....	L		
M	First Cavalry.....	Luan, William F.....	Private.....	June 18, 1863. Camp Stanford.
K	Second Cavalry.....	Lawrence, Austin S.....	Private.....	November 11, 1861. Camp Alert.
A	Second Cavalry.....	Larabee, Seneca.....	Private.....	October 2, 1861. Camp Alert.
		Lake, William H.....	Private.....	March 24, 1863. From wounds received in battle of Bear River, January 29, 1863.
G	Second Cavalry.....	Lovejoy, Jabez F.....	Private.....	March 3, 1863. Owen's Valley. Killed by Indians.
K	Second Cavalry.....	Langley, John.....	Saddler.....	November 26, 1863. Camp Douglas.
A	Second Infantry.....	Lynch, Timothy.....	Private.....	March 21, 1863. Eel River. Indian engagement.
E	Third Infantry.....	Lawton, George.....	Private.....	April 21, 1862. Benicia Barracks.
A	Third Infantry.....	Lovewell, Alfred.....	Private.....	May 30, 1863. Fort Churchill. Poisoned by eating greens.
A	Fourth Infantry.....	Lontzenbiser, John E.....	Private.....	April 12, 1862.
C	Second Infantry.....	Lewis, Jeremiah.....	Private.....	June 16, 1862. Fort Colville.
F	First Cavalry.....	Lyons, Charles.....	Private.....	January 25, 1864. Camp Union. Suddenly in hospital.
E	First Cavalry.....	Lange, August F. C.....	Private.....	April 10, 1864. Franklin, Texas. Of disease.
A	First Cavalry.....	Levi, Richard.....	Private.....	April 8, 1864. Las Cruces. Pneumonia.
E	Fifth Infantry.....	Libby, John.....	Private.....	May 18, 1864. Rio Miembres, New Mexico. Disease.
F	Second Infantry.....	Lee, David.....	Private.....	July 9, 1864. Fort Wright. Disease.
G	Fourth Infantry.....	Lecture, Alexander.....	Private.....	July 9, 1864. New San Diego Barracks. Drowned.
T	Second Infantry.....	Lee, Daniel.....	Private.....	July 9, 1864. Fort Wright. Disease.
B	Second Cavalry.....	Lowing, Edward B.....	Private.....	July 22, 1864. Drum Barracks. Special Order No. 59, Department Pacific.
M	Second Cavalry.....	Legget, Joshua.....	Private.....	August 25, 1861. Camp Douglas, Utah Territory. Disease.
G	Fifth Infantry.....	Laflesh, Franklin.....	Private.....	October 20, 1864. Las Cruces. Peritonitis.
B	Eighth Infantry.....	Lemoine, Hugh.....	Private.....	December 5, 1864. Sacramento.
G	Second Infantry.....	Lubeck, Henry E.....	Private.....	January 21, 1865. Presidio, San Francisco.
B	First Cavalry.....	Levi, Richard.....	Private.....	Date not known. At Las Cruces, New Mexico.
C	First Mountaineers.....	Lucky, Charles.....	Private.....	January 14, 1865. Fort Gaston. Disease.
G	Second Infantry.....	Long, John.....	Private.....	April 8, 1865. Presidio.
I	Second Cavalry.....	Levergood, D. W.....	First Lieutenant.....	April 16, 1865. Camp Bidwell. Assassination.

D	Second Cavalry.....	Leach, Oscar F.....	Private.....	July, 1865. Lost on steamer Bro. Jonathan. Orderly to General Wright.
K	Second Cavalry.....	Larrabee, Seneca.....	Private.....	October 2, 1861. Camp Alert.
L	Second Cavalry.....	Leighton, Stephen.....	Private.....	November 23, 1862. Fort Churchhill.
C	Second Infantry.....	Langley, Joseph.....	Private.....	November 8, 1865. Inflammation of bowels.
G	First Infantry.....	Livingston, Robert P.....	Private.....	July 12, 1866. In hospital at Fort Cummings.
D	Seventh Infantry.....	Lewis, Major A.....	Private.....	November 21, 1865. Fort Mason, Arizona Territory. Disease.
D	Seventh Infantry.....	Lansall, Lewis.....	Private.....	January 6, 1866. Fort Mason, Arizona Territory. Disease.
I	Seventh Infantry.....	Long, Silas C.....	Private.....	July 21, 1865. Skull Valley, Arizona Territory. Killed by Indians.
I	Seventh Infantry.....	Lee, Stephen.....	Private.....	January 1, 1866. Fort Whipple, Arizona Territory. Disease.
M				
B	First Cavalry.....	Maloney, Peter.....	Private.....	June 25, 1862. Apache Pass, Arizona Territory. Killed by Indians.
G	Second Cavalry.....	Marchant, Abraham.....	Private.....	December 2, 1861. Camp Alert. Typhoid fever.
I	Second Cavalry.....	Midlaugh, Nelson.....	Private.....	August 1, 1863. Camp Babbitt. Disease of heart.
C	First Infantry.....	Martin, Abraham.....	Private.....	November 14, 1862. Mesilla, Arizona Territory.
K	First Infantry.....	McQueen, Wm. A.....	Sergeant.....	October 1, 1862. Mesilla, Arizona Territory.
D	Second Infantry.....	McCurvey, Thomas.....	Private.....	September 26, 1862. San Francisco.
C	Second Infantry.....	Maxim, Henry.....	Private.....	July 9, 1863. Camp Lincoln. Shot through bowels.
G	Third Infantry.....	McCormick, John.....	Corporal.....	September 17, 1862. Ruby Valley.
E	Third Infantry.....	McCallough, John H.....	Corporal.....	June 6, 1863. Camp Douglas.
E	Third Infantry.....	Myers, Anthony.....	Private.....	July 6, 1863. Cañon Station. Killed by Indians.
E	Third Infantry.....	McNamara, Michael.....	Private.....	July 6, 1863. Cañon Station. Killed by Indians.
F	Fifth Infantry.....	Martin, George M.....	Private.....	August 28, 1862. Fort Fillmore, New Mexico.
F	Fifth Infantry.....	Murphy, James M.....	Private.....	October 11, 1863. Fort West. Disease.
I	Fifth Infantry.....	McConkey, Milton.....	Private.....	December 8, 1863. Tucson.
B	Second Infantry.....	McQuaid, John.....	Sergeant.....	July 12, 1862. Tucson.
B	Fourth Infantry.....	Moncar, William C.....	Private.....	April 24, 1864. Drum Barracks, California. Disease.
B	Third Infantry.....	Mason, August.....	Private.....	May 15, 1864. Fort Ruby.
E	Sixth Infantry.....	Mills, George.....	Private.....	May 1, 1864. Camp Jacua, California. Killed by Indians.
D	Third Infantry.....	Max, Martin.....	Private.....	May 16, 1864. Virginia City, Nevada Territory, of disease.
B	Fifth Infantry.....	Marcy, James M.....	Corporal.....	December 19, 1863. California.
B	Fourth Infantry.....	McNarry, Owen.....	Private.....	July 6, 1864. New San Diego Barracks. Of disease.
K	Second Cavalry.....	McReynolds, Daniel.....	Private.....	August 7, 1864. Camp Douglas. Of disease.
A	Fifth Infantry.....	McMiller, Alfred.....	Private.....	August 19, 1863. Fort Stanton, New Mexico. Of disease.
F	First Cavalry.....	McGeary, Geo. P.....	Private.....	October 15, 1863. San Elizario, Texas. In hospital.
D	First Infantry.....	Miller, Charles A.....	Private.....	February 8, 1864. Franklin, Texas.
F	Sixth Infantry.....	McGrath, James.....	Private.....	January 26, 1865. Benicia. Accidental drowning.
G	Seventh Infantry.....	Maury, Pierre.....	Private.....	February 25, 1865. Benicia. Disease, in hospital.
G	Eighth Infantry.....	McMillan, Mauly.....	Private.....	March 22, 1865. Alcatraz. Pneumonia.
A	Second Cavalry.....	McGowan, William.....	Private.....	April 10, 1865. Camp Union. Disease.
C	First Veteran Infantry.....	Myer, John.....	Private.....	February 28, 1865. Los Cruces.
D	Second Cavalry.....	Miller, Charles.....	Private.....	May 19, 1866. Salis Station, California. Shot by Captain Knight, in self-defence.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
G	First Cavalry.....	McLane, Bernard.....	Private.....	November 27, 1863. Camp Drum, California.
H	First Cavalry.....	Mantis, Fordyce R.....	First Sergeant.....	July 16, 1864. Rio Mimbres, New Mexico.
H	First Cavalry.....	McKee, Albert.....	Private.....	August 4, 1864. Fort McKee, New Mexico.
B	Second Cavalry.....	McKade, John.....	Sergeant.....	July 12, 1862. Tucson, Arizona Territory.
H	Second Cavalry.....	Mincke, John.....	Private.....	January 25, 1864. At Camp Douglas. Dropsy.
G	Eighth Infantry.....	McMillen, Mauley.....	Private.....	March 25, 1866. In hospital at Alcatraz Island.
C	First Infantry.....	Meigan, Henry.....	Private.....	December 24, 1865. At Belen, New Mexico. Killed by Indians.
A	Third Infantry.....	Magstaff, Jeremiah.....	Private.....	May 1, 1863. Drowned in Carson River.
B	Third Infantry.....	Mathieson, Thomas.....	Corporal.....	November 25, 1865. At Camp Douglas. Gun shot wound.
A	Fourth Infantry.....	McKee, James.....	Private.....	June 22, 1865. In hospital at Fort Gaston.
B	Fourth Infantry.....	Maxwell, Arthur.....	Private.....	June 19, 1865. At Fort Gaston. Inflammation of lungs.
D	Fifth Infantry.....	Moore, Charles.....	Private.....	March 3, 1864. In hospital at Tucson, Arizona Territory.
D	Fifth Infantry.....	Meenor, Robert.....	Private.....	October 30, 1862. At Tucson, Arizona Territory.
G	Fifth Infantry.....	McFarland, George P.....	Private.....	December 19, 1864. At Benicia Barracks. Pneumonia.
B	Sixth Infantry.....	Miltz, Frederiek.....	Private.....	October 30, 1862. At Tucson, Arizona Territory. From gun shot wound.
E	Sixth Infantry.....	Mills, George.....	Private.....	December 19, 1864. At Benicia Barracks. Pneumonia.
E	Seventh Infantry.....	McCoy, Alexander.....	Private.....	Name entered on page one hundred and thirty-five.
E	Seventh Infantry.....	McConigal, Robert.....	Private.....	September 21, 1865. Fort Mason. Congestion of the brain.
I	Seventh Infantry.....	Merrill, Augustus M.....	Private.....	January 19, 1865. Tubac. Disease.
		N		February 7, 1866. Fort Whipple. Knife wound.
C	First Cavalry.....	Neel, John J.....	Private.....	August 26, 1862. Van Horn's Wells. Killed accidentally.
A	First Infantry.....	Nichol, William.....	Private.....	July 23, 1863. Las Cruces, New Mexico. Pneumonia.
G	Second Infantry.....	Nason, Henry.....	Private.....	April 4, 1862. Crescent City. Dysentery.
B	Second Infantry.....	Neibahr, Otto.....	Private.....	October 18, 1863.
D	First Infantry.....	Northrup, Sherman A.....	Private.....	March 27, 1864. Franklin, Texas. Disease.
B	First Cavalry.....	Newman, David M.....	Private.....	December 21, 1864. Fort Union. Wound received in battle with Cananache Indians.
E	Fourth Infantry.....	Norton, Harvey.....	Private.....	May 24, 1865. La Paz, Arizona Territory. Accidentally drowned.
A	Seventh Infantry.....	Newland, Aquilon M.....	Private.....	May 21, 1865. Fort Yuba. Disease.
A	Second Cavalry.....	Nelson, Snyder.....	Private.....	February 8, 1864. Camp Douglas, Utah. Disease.
K	Second Infantry.....	Noyes, William H.....	Private.....	June 5, 1866. Disease.
E	Seventh Infantry.....	Nuny, John.....	Private.....	July 22, 1865. Killed by Indians, seventy miles east of Yuba.
G	Seventh Infantry.....	Norton, Washington.....	Private.....	December 18, 1865. Fort Yuma. Disease.

G	First Infantry	O'Brien, Charles M.....	O	Private ..	July 16, 1862. Killed by Apaches.
I	First Infantry	O'Brien, William.....		Private ..	July 27, 1863. Fort Union, New Mexico.
E	Fourth Infantry	O'Connor, Thomas.....		Private ..	September 12, 1863. Camp Curris. Knife wound.
B	Second Infantry	Owen, Henry G.....		Private ..	December 18, 1864. Presidio, San Francisco.
M	First Cavalry	O'Donnell, John.....		Private ..	November 25, 1864. Texas. Missing in action at Bent's Old Fort, on the Canadian River.
C	First Batt. Native Cav.	Olivas, Pablo.....		Private ..	December 26, 1864. Drum Barracks.
E	First Veteran Infantry	O'Bannon, Yclvertoll.....		Private ..	April 25, 1865. Fort Craig, New Mexico. Pneumonia.
A	Second Cavalry	O'Cannon, David W.....		Private ..	November 17, 1865. Black Rock, Nevada. Killed by Indians.
H	Second Cavalry	O'Brien, Michael.....		Private ..	February 7, 1863. Camp Douglas. Of wounds.
D	Fourth Infantry	O'Neil, John.....		Private ..	October 29, 1865. Near Honey Lake, Oregon. Killed by Indians.
D	Fourth Infantry	Osborn, John D.....		Private ..	November 11, 1865. At Camp Curry, Oregon.
E	Fourth Infantry	O'Connor, Thomas.....		Private ..	September 12, 1863. At Camp Curtis. From knife wound.
A	Seventh Infantry	Olumstead, James P.....		Captain.....	August 1, 1865. Fort Yuma. Congestion of the brain.
P					
A	First Cavalry	Perry, Elijah.....		Sergeant	August 12, 1862. Tucson. Scurvy.
F	Second Cavalry	Pullis, George E.....		Blacksmith	February 23, 1862. Benicia.
L	Second Cavalry	Peck, A. J. ..		Private ..	September 10, 1862. Fort Rnby, Nevada Territory.
F	Third Infantry	Phillips, George E.....		Private ..	November 10, 1863. Camp Douglas.
E	Third Infantry	Pratt, Lewis B.....		Private ..	July 7, 1863. Cañon Station. From wounds received in Indian attack, July 6, 1863.
A	First Batt. Moun'ers...	Pritchard, William.....		Private ..	January 17, 1864. Camp Jaqua. Chronic bronchitis.
M	First Cavalry	Pritchett, Ruben.....		Sergeant	May 16, 1864. Las Cruces, New Mexico. Congestion of the brain.
D	Second Cavalry	Phillips, Claud		Private ..	March 31, 1864. Camp Union, Sacramento. Disease.
C	Second Cavalry	Plass, Gustavus W.....		Private ..	November 9, 1863. Smoke Creek, Nevada Territory.
L	First Cavalry	Parrish, Albert S. or G.		Private ..	May 31, 1864. Rio Grande. Drowned.
C	Fourth Infantry	Parker, Jeremiah		Private ..	September 30, 1861. Drum Barracks.
K	First Infantry	Phillips, James S.....		Private ..	August 31, 1864. Fort Union, New Mexico. Disease.
C	First Batt. Native Cav	Pablo, Olivas.....		Private ..	December 26, 1864. Drum Barracks.
K	First Infantry	Phillips, James S.....		Private ..	October 18, 1864. Fort Union. Disease.
K	Seventh Infantry	Philbrick, Francis A.....		Private ..	December 12, 1864. Presidio.
D	Second Cavalry	Parker, William K.....		Farrier	April 15, 1865. Camp Union.
B	Sixth Infantry	Plana, Bartholomew.....		Private ..	July 7, 1865. Benicia. Phrenitis.
L	First Cavalry	Payson, Samules.....		Private ..	August 2, 1865. Fort Bowie, Arizona Territory. Disease.
M	Second Cavalry	Peck, Andrew J.....		Private ..	September 10, 1862. Ruby Valley. Typhoid fever.
Q					
F	Fifth Infantry	Queen, Jonathan C.....		Corporal	July 4, 1863. Cook's Cañon. In Indian engagement.
A	First Batt. Moun'ers...	Quear, Louis.....		Private ..	June 3, 1864. Eureka, Humboldt County. Disease.
B	Fifth Infantry	Quim, Patrick.....		Private ..	February 7, 1864. Las Cruces, New Mexico.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
R				
A	First Cavalry.....	Reed, Joseph.....	Private.....	May 18, 1863. Las Cruces. Chronic diarrhœa.
E	Second Cavalry.....	Randall, Samuel G.....	Private.....	January 13, 1862. Ukiah City.
K	Second Cavalry.....	Reed, Shelbourne C.....	Private.....	January 29, 1863. Bear River. Killed in battle.
K	Second Cavalry.....	Rowe, Adolphus.....	Private.....	January 29, 1863. Bear River. Killed in battle.
C	Second Cavalry.....	Ross, Gustavus W.....	Private.....	November 9, 1863. Smoke Creek, Nevada Territory.
C	Second Cavalry.....	Reed, Charles R.....	Sergeant.....	December 3, 1863. Fort Crook. Typhoid fever.
D	Second Cavalry.....	Rooney, Hugh.....	Private.....	July 3, 1863. Temecula, San Diego County, California. Killed by Captain Noland, Company I, Second Cavalry.
G	First Infantry.....	Reed, Guion.....	Private.....	February 11, 1862. Camp Wright. Accidental shot.
H	First Infantry.....	Richards, James L.....	Private.....	August, 1862. Tucson. Fever.
B	Second Infantry.....	Rahr, Herman.....	Private.....	September 26, 1861. Camp Lyons, California. Heart disease.
E	Fifth Infantry.....	Riddle, Samuel.....	Private.....	December 10, 1862. Tucson. Fever.
E	Sixth Infantry.....	Ring, Alfred.....	Private.....	June 6, 1863. Benicia. Drowned.
C	First Cavalry.....	Reynolds, James S.....	Private.....	March 27, 1864. Camp Miembres, New Mexico. Typhoid fever.
F	Fourth Infantry.....	Ritchey, Benjamin F.....	Wagoner.....	June 22, 1864. Camp Lincoln. Dysentery.
G	First Infantry.....	Rowlette, William J.....	Private.....	July 6, 1864. Near Fort McKee, New Mexico. Drowned.
F	Fourth Infantry.....	Reid, Henry.....	Private.....	October 29, 1864. Carrizo Creek, San Diego.
F	First Cavalry.....	Roach, Michael.....	Private.....	March 16, 1865. Fort Craig. In hospital.
E	First Cavalry.....	Ralph, Henry.....	Private.....	September 30, 1865. Drum Barracks, California. Of wounds received.
D	Native Cavalry.....	Reyes, José Antonio.....	Private.....	July 1, 1865. Drum Barracks, California.
G	First Infantry.....	Ronas, Thomas.....	Private.....	January 17, 1866. Killed by Indians.
I	Third Infantry.....	Russell, Charles H.....	Private.....	March 1, 1862. Benicia, California.
E	Sixth Infantry.....	Ring, Alfred.....	Private.....	June 6, 1863. Benicia. Drowned.
A	Seventh Infantry.....	Reni, Simon.....	Private.....	August 31, 1865. Fort Mason, Arizona Territory. Disease.
.....	Marine Corps.....	Roberts, Robert L.....	Private.....	March 4, 1867. Valparaiso. Heart disease.
S				
A	First Cavalry.....	Scott, Martin M.....	Private.....	October 14, 1862. Mesilla, Arizona Territory.
C	First Cavalry.....	Starkweather, Eugene.....	Private.....	April 29, 1862. Gila City. Drowned in Gila River.
B	First Cavalry.....	Schmidt, Albert.....	Private.....	June 25, 1862. Apache Pass. Killed by Indians.
M	First Cavalry.....	Sargent, Samuel P.....	Private.....	January 13, 1864. Drum Barracks. Consumption.
M	First Cavalry.....	Stewart, Joseph B.....	Private.....	November 13, 1861. Camp Alert.
H	Second Cavalry.....	Shaefer, John.....	Private.....	February 9, 1862. Ruby Valley. Disease.
I	Second Cavalry.....	Strobel, Charles C.....	Sergeant.....	August 6, 1863. Camp Babbitt. Killed by James H. Wells, a secessionist.
K	Second Cavalry.....	Smith, Christian.....	Private.....	January 29, 1863. Bear River. Killed in battle.

K	Second Cavalry..	Slocum, William.....	Private	February 5, 1863. From wounds received in battle of Bear River, January 29, 1863.
A	Second Cavalry.....	Snyder, Nelson	Private	January 1, 1864. Camp Douglas.
F	First Infantry.....	Smith, Albert H.....	Private	August 20, 1862. Mesilla. Fever.
K	First Infantry.....	Smith, Charles.....	Corporal	November 26, 1862. Mesilla. Shot by order of Colonel J. R. West.
B	Second Infantry.....	Swiss, Henry.....	Private	January 7, 1863. Fort Humboldt.
D	Second Infantry.....	Spring, William.....	Private	March 5, 1862. Near Fort Colville, Utah Territory.
K	Second Infantry.....	Smith, Alexander (or Andrew).....	Private	April 30, 1863. Oak Camp, near Redwood Creek. Killed by Indians.
F	Third Infantry.....	Suale, Robert.....	Private	February 12, 1864. Camp Douglas.
D	Third Infantry.....	Strickland, Albert.....	Private	February 15, 1864. Camp Union. Consumption.
F	Fourth Infantry.....	Smith, John B.....	Private	May 11, 1863. Fort Yuma. Drowned in Colorado River.
I	Fifth Infantry.....	Stoeger, Joseph.....	Private	November 20, 1861. Camp Union.
C	Fifth Infantry.....	Sinclair, Jeremiah.....	Private	December 12, 1861. Sacramento, California. Killed.
I	Fifth Infantry.....	Sayers, William.....	Private	August 20, 1863. Tucson. Enlargement of heart.
A	First Batt. Mount'rs.....	Sharp, William.....	Private	March 2, 1864. Redwood Mountains. Killed by Indians.
C	Sixth Infantry.....	Smith, Joseph.....	Private	March 26, 1864. Mad River. Disease.
A	First Batt. Mount'rs.....	Shaw, William A.....	Private	June 9, 1864. Fort Humboldt. Jaundice.
E	Fifth Infantry.....	Snodgrass, William.....	Private	April 5, 1864. Las Cruces, New Mexico. Disease.
D	First Cavalry.....	Stewart, William A.....	Private	March 30, 1864. Weaverville, Arizona Territory. Killed.
M	First Cavalry.....	Sullivan, John.....	Private	November 29, 1864. Missing in action at Bent's Old Fort, Canadian River, Texas.
G	Seventh Infantry.....	Shepherd, John.....	Private	February 3, 1865. Presidio. Disease.
F	Ninth U. S. Infantry.....	Somers, John.....	Private	March 29, 1865. Alcatraz. Disease.
H	First Cavalry.....	Sykes, John.....	Private	April 18, 1865. Fort Craig. Disease.
I	Seventh Infantry.....	Somerindyke, Whitfield S.....	Private	June 25, 1865. Accidentally shot and killed himself while en route to Fort Whipple.
I	Eighth Infantry.....	Schoitt, Jacob.....	Private	March 7, 1865. Benicia.
C	Second Cavalry.....	Smith, John.....	Private	January 18, 1863. Fort Crook, or Deep Hole, Nevada Territory. Shot by Lieutenant Williams.
C	Second Cavalry.....	Stevens, Charles A.....	Private	July 21, 1862. Fort Crook. Consumption.
C	Second Cavalry.....	Steed, Edward.....	Private	April 8, 1865. Fort Crook. Disease.
B	Native Cavalry.....	Salazar, Francisco.....	Private	August 8, 1865. Gila City, Arizona Territory.
D	Second Infantry.....	Simmons, Alexander.....	Private	December 4, 1865. Camp Anderson. From exposure.
C	Fourth Infantry.....	Steinburg, George W.....	Private	December 16, 1862. Benicia.
C	Fifth Infantry.....	Simmonds, George W.....	Private	July 5, 1864. Near Fort Goodwin.
D	Fifth Infantry.....	Stack, Maurice.....	Private	November 8, 1863. Shot by the non-commissioned officer of the Provost Guard.
G	Fifth Infantry.....	Smith, Jacob.....	Private	October 3, 1862. Tucson, Arizona Territory.
C	Sixth Infantry.....	Smith, Joseph.....	Private	March 26, 1864. Humboldt County, California. Apoplexy.
B	Seventh Infantry.....	Stanley, James B.....	Private	September 6, 1865. Maricopa Wells. Inflammation of bowels.
E	Seventh Infantry.....	Smart, John.....	Private	September 28, 1865. Fort Mason. Disease.
E	Seventh Infantry.....	Smith, Henry J.....	Private	October 13, 1865. Fort Mason. Fever.
G	Seventh Infantry.....	Smith, John G.....	Private	September 29, 1865. Fort Mason. Disease.

DECEASED OFFICERS AND ENLISTED MEN OF THE CALIFORNIA VOLUNTEERS—Continued.

Co.	Regiment.	Name.	Rank.	When, where and cause.
T				
K	Second Cavalry.....	Trempl, Henry W.....	Private.....	January 29, 1863. Killed at battle of Bear River.
I	First Infantry.....	Truet, Daniel.....	Private.....	January 30, 1864. Fort Union.
I	Second Infantry.....	Twomey, Michael.....	Private.....	May 19, 1863. Fort Gaston, California. Disease.
K	Fourth Infantry.....	Thomas, Henry.....	Private.....	February 4, 1864. Benicia Barracks.
E	Fifth Infantry.....	Todd, James.....	Private.....	September 6, 1862. Maricopa Wells, Arizona Territory. Killed by Indians.
C	First Batt. Mountain's	Terry, William T.....	Private.....	September 15, 1863. Sandy Bar, Trinity River. Killed by Indians.
E	First Batt. Mountain's	Tait, Edward.....	Private.....	July 25, 1863. Ukiah City. Run over by wagon.
II	First Cavalry.....	Tully, John.....	Private.....	March 16, 1864. Fort Craig, New Mexico.
B	First Batt. Mountain's	Tilton, Hazen.....	Private.....	August 21, 1864. Camp Anderson. Remittent fever.
A	Fifth Infantry.....	Trotitz, Edward.....	Private.....	November 27, 1862. Mesilla, Arizona Territory. Accidentally shot.
L	Second Cavalry.....	Tuney, G. B.....	Private.....	October 27, 1864. Great Salt Lake. Suicide.
C	First Cavalry.....	Turk, Thomas.....	Private.....	February 10, 1865. Franklin, Texas. Disease unknown.
E	Seventh Infantry.....	Thompson, Charles.....	Fifth Sergeant.....	March 20, 1865. Presidio. Disease.
F	Seventh Infantry.....	Taylor, William.....	Private.....	May 10, 1865. Presidio. Consumption.
C	Native Cavalry.....	Toner, Dionisio.....	Private.....	August 1, 1864. Santa Barbara.
D	Native Cavalry.....	Torres, Gregorio.....	Private.....	March 4, 1864. Drum Barracks.
II	First Infantry.....	Tully, John.....	Private.....	March 16, 1864. Fort Craig, New Mexico.
H	Second Infantry.....	Thayer, James D.....	Corporal.....	August 10, 1865. Fort Wright, California. Disease.
I	Third Infantry.....	Tynan, Wm. H.....	Private.....	April 21, 1862. Drowned near Benicia, California.
E	Seventh Infantry.....	Tyrell, Wm. B.....	Private.....	August 14, 1865. Tubac. Inflammation of bowels.
V				
I	Second Cavalry.....	Vogel, Eugene.....	Private.....	December 1, 1862. Camp Babbitt.
F	Fifth Infantry.....	Varnor, Thomas J.....	Private.....	September 24, 1862. Fort Fillmore, New Mexico.
K	Fifth Infantry.....	Van Assche, Eugene.....	Sergeant.....	April 10, 1862. Camp Latham.
H	Fifth Infantry.....	Urley, William.....	Musician.....	May 2, 1863. Tucson.
A	First Veteran Infantry	Urebecker, Frank.....	Private.....	December 25, 1864. Fort Bascom. Accidental suffocation.
C	First Veteran Infantry	Vanatter, Charles H.....	Private.....	January 15, 1865. Fort Selden, New Mexico. Disease.
G	First Cavalry.....	Van Metre, John J.....	Private.....	March 31, 1864. Stockton, California.
M	Second Cavalry.....	Underwood, Jas. B.....	Private.....	August 1, 1863. Drowned in Carson River, Nevada.
D	Native Cavalry.....	Verdugo, Feliciano.....	Private.....	November 19, 1864. Drum Barracks. Accidentally shot.
D	Native Cavalry.....	Vernal, Dolores.....	Private.....	December 4, 1865. Fort Mason, Arizona Territory.
C	First Infantry.....	Vanatter, Chas. H.....	Private.....	January 14, 1865. Fort Selden, New Mexico. Disease.
E	Seventh Infantry.....	Unlauff, Jno. F.....	Private.....	September 21, 1865. Fort Mason. Pneumonia.

B	First Cavalry.....	Ward, George W.....	Private.....	February 16, 1863. Point of Mountain, Arizona Territory. Accidentally shot.
E	First Cavalry.....	Wells, Richard W.....	Private.....	April 24, 1863. Fort Bowie. Inflammation of bowels.
A	Second Cavalry.....	Wall, John Wm. (or William).....	Private.....	February 8, 1863. From wounds received in battle of Bear River.
E	First Infantry.....	Wheeling, William.....	Sergeant.....	June 18, 1862. Killed by Apaches.
K	First Infantry.....	Walker, William.....	Private.....	November 26, 1862. Drowned in the Rio Grande, at Mesilla.
C	Second Infantry.....	Wahlers, George.....	Private.....	June 23, 1862. Drowned in Spoken River, Washington Territory.
C	Third Infantry.....	Warner, Henry J.....	Private.....	June 17, 1862. Drowned near Camp Halleck, California.
K	Fourth Infantry.....	Wagstaff, Jeremiah.....	Private.....	May 1, 1863. Drowned in Carson River.
K	Fourth Infantry.....	Wentworth, Tusston.....	Private.....	May 21, 1863. Shot on street at La Paz; died next day.
F	Fourth Infantry.....	Ward, Daniel.....	Private.....	December 22, 1862. Camp Drum. Disease of liver.
C	Second Infantry.....	Watkins, James.....	Private.....	May 2, 1864. Camp Lincoln, California. Venereal.
E	First Batt. Mountain rs	Winters, Charles E.....	Private.....	June 10, 1864. Fort Humboldt. Disease.
II	First Cavalry.....	Whitney, Daniel S.....	Private.....	June 20, 1864. Fort Bowie, New Mexico.
I	First Infantry.....	Webb, James R.....	Private.....	May 13, 1864. Fort Bowie, New Mexico. Effect of wounds.
A	Fifth Infantry.....	Welch, Robert.....	Corporal.....	August 31, 1862. Fort Fillmore, Arizona Territory.
A	Fifth Infantry.....	Wagner, Justus B.....	Private.....	June 21, 1863. Gallina Springs, New Mexico. Killed by Indians.
A	Second Infantry.....	Wilcox, Samuel.....	Private.....	December 27, 1864. Hospital, San Francisco.
F	First Cavalry.....	Wallace, Edward.....	Private.....	January 4, 1865. San Elizario. Accidental discharge of his pistol.
G	Eighth Infantry.....	Williams, Francis M.....	Private.....	April 6, 1865. Alcatraz. Premature discharge of a cannon.
F	First Cavalry.....	Wright, Washington.....	Private.....	May 6, 1865. Fort Craig. In hospital.
E	First Cavalry.....	Welch, Edward.....	Private.....	January 11, 1866. Drum Barracks. Of disease.
C	First Cavalry.....	Williams, Charles.....	Private.....	August 25, 1866. Killed by Indians while en route to Camp Miembres.
F	First Cavalry.....	Warren, Sannel.....	Private.....	August 29, 1864. Drum Barracks. Died in hospital.
F	Second Cavalry.....	Williams, Geo. W.....	Private.....	January 2, 1866. Froze to death at or near Fort Bidwell, California.
M	Second Cavalry.....	Willard, Rnshbrook.....	Private.....	November 16, 1864. Sent to Insane Asylum, Washington. Since reported dead.
M	Second Cavalry.....	Watts, Joseph B.....	Private.....	Died in hospital at Fort Kearney, of typhoid fever.
D	First Infantry.....	Wing, Joseph B.....	First Lieutenant.....	March 21, 1862. At Fort Colville, Washington Territory.
G	Fifth Infantry.....	Whitney, Samuel.....	Private.....	February 2, 1863. At Fort Craig, New Mexico.
I	Fifth Infantry.....	Webb, James R.....	Private.....	May 13, 1864. At Fort Bowie, Arizona Territory.
A	Seventh Infantry.....	Wickwire, Joseph.....	Private.....	July 1, 1865. At Fort Yuma. Drowned.
A	Seventh Infantry.....	Walfr, Fredrick.....	Private.....	September 16, 1865. At Fort Yuma. Scurvy.
A	Seventh Infantry.....	Webb, Jno. S.....	Private.....	February 25, 1866. At Fort McDowell. Scurvy.
I	Seventh Infantry.....	Whiting, John.....	Private.....	July 21, 1865. Skull Valley, Arizona Territory. Killed by Indians.
K	Seventh Infantry.....	Wilson, Samuel E.....	Private.....	February 18, 1866. Fort Mason. Disease.
Y				
A	First Infantry.....	Yost, Michael.....	Private.....	October 15, 1863. Fort Union, New Mexico. Congestion of lungs.
I	Fourth Infantry.....	Yates, John.....	Private.....	December 2, 1863. Drum Barracks.
Z				
A	First Cavalry.....	Zimmerman, Ferdinand.....	Private.....	March 23, 1866. Died at Fort Whipple, Arizona Territory. Diarrhœa.

GENERAL AND SPECIAL ORDERS

ISSUED SINCE LAST REPORT.

SPECIAL ORDERS.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 4th, 1867. }

[*Special Order, No. 21.*]

The resignation of First Lieutenant M. E. Clough, Oakland Guard, unattached, is accepted, to take effect November second, eighteen hundred and sixty-seven.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 25th, 1867. }

[*Special Order, No. 22.*]

The following resignations are accepted, to take effect November second, eighteen hundred and sixty-seven :

Senior Second Lieutenant F. W. Eaton, First California Guard.
Second Lieutenant Jacob Strahle, Company B, First Cavalry, Second Brigade, National Guard.
Second Lieutenant A. W. Hanna, Company A, First Infantry, Second Brigade, National Guard.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

Col. J. W. McKENZIE,
Commanding Second Brigade.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, November 30th, 1867. }

[*Special Order, No. 23.*]

I. Brigadier-General Josiah Howell, commanding Fourth Brigade National Guard of the State, is hereby detailed and specially ordered to take command of the military on the occasion of the inaugural of the Governor elect.

II. General Howell will make all necessary arrangements for the disposition of the troops on that day, the detail of escorts to meet the troops coming from San Francisco, provide for the firing of proper salutes, and will issue such necessary orders as may be needful to carry out the full intent of this order.

III. All the companies of the National Guard of the State stationed in Sacramento are hereby ordered to hold themselves in readiness, and to turn out under arms, in full uniform, to participate in the ceremonies of the inaugural, at such time and place as may be hereafter designated by General Howell.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

Official: WM. L. USTICK, A. A. General.

GENERAL HEADQUARTERS STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 19th, 1867. }

[*Special Order, No. 24.*]

I. Upon the recommendation of the Brigadier-General commanding the Third and Fourth Brigades, the following companies of the National Guard of California are hereby ordered to be mustered out of the service, to wit:

Copperopolis Union Guard (unattached), Third Brigade.
 Campo Seco Union Guard, Third Brigade.
 Angels Guard (unattached), Third Brigade.
 Yolo Union Cavalry (unattached), Fourth Brigade.
 Woodland Guard, Company G, Fourth Infantry, Fourth Brigade.
 Little York Union Guard, Company C, Fifth Infantry, Fourth Brigade.
 Yankee Jim Rifles, Company G, Fifth Infantry, Fourth Brigade.

II. The companies above designated in the three brigades will be assembled in their respective armories, for the purpose of being mustered out of service, as follows:

Copperopolis Union Guard, on Friday evening, December twenty-seventh, at eight o'clock, P. M.

Angels Guard, on Saturday evening, December twenty-eighth, eighteen hundred and sixty-seven, at eight o'clock, P. M.

Campo Seco Guard, on Sunday, December twenty-ninth, eighteen hundred and sixty-seven, at twelve o'clock, M

III. The several company commanders will cause their companies to be assembled as directed, and will have the ordnance, ordnance stores, clothing and other property belonging to the State, in readiness for the inspecting and mustering officers at the time and place mentioned, and will be governed by and obey any other orders necessary to be made by him.

IV. Major William L. Ustick, of this department, is detailed to muster out the companies of the Third Brigade at the time and places designated, and is authorized and directed to take charge of all arms, clothing and accoutrements belonging to the State, receipt for the same and make out and settle all accounts of the companies due to and from the State, and will, upon the execution of this order, report the same to these headquarters.

V. Brigadier-General Howell, commanding the Fourth Brigade, is detailed to muster out the companies designated in his brigade, to receive and receipt for all the arms, clothing and accoutrements, in the possession of the companies belonging to the State, and he is hereby authorized to settle the accounts between the companies and the State, and will immediately proceed to carry out this order so far as it relates to his brigade, in such manner as he may deem advisable and for the best interests of the service, and upon the completing of this order, report to these headquarters.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, December 30th, 1867. }

[*Special Order, No. 25.*]

Leave of absence from his command and the State, for six months from January first, eighteen hundred and sixty-eight, is granted Major T. J. P. Lacy, Chief Engineer, Second Brigade, National Guard of California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, January 1st, 1868. }

[*Special Order, No. 1.*]

I. Major William L. Ustick, Assistant Adjutant-General of California, is hereby detailed to muster out the following named companies of the Second Brigade, recommended to be mustered out by the Brigade Commander, to wit:

Company B, Russian River Rifles.
 Company D, Petaluma Guards.
 Company C, Petaluma City Guards.
 Brooklyn Guards.
 Napa Guard.
 Haywood Guards.

II. Major Ustick is hereby authorized and directed to take charge and receipt for all arms, clothing and accoutrements in possession of the above companies, to settle the accounts due to and from the State, and will, upon the execution of this order, immediately report to these headquarters.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, January 7th, 1868. }

[*Special Order, No. 2.*]

I. Upon the recommendation of the Brigade Commander, the following companies in the Second Brigade, National Guard of California, are ordered to be mustered out of service, for non-compliance with the law, to wit:

Santa Cruz Cavalry.
 Watsonville Guard.
 Maine Prairie Rifles.

II. Colonel John W. McKenzie, commanding Second Brigade, will detail some suitable officer of his brigade to execute this order without delay.

III. The officer appointed by Colonel McKenzie to muster out the companies named will receive and receipt for all the arms and accoutrements and clothing received by him from the respective companies, and return to these headquarters muster out rolls and duplicates of the receipts given. He will also see that the arms, etc., are received and properly boxed up and shipped, marked from (giving the name of the company they are from) to Adjutant-General California, Sacramento, California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 1st, 1868. }

[*Special Order, No. 3.*]

The following resignations are accepted, to take effect January thirtieth, eighteen hundred and sixty-eight:

Captain J. G. Dawes, Company A, First Regiment Infantry, Second Brigade, National Guard of California.

Captain D. W. Hildreth, Vallejo Rifles, Second Brigade, National Guard of California.

Lieutenant Robert E. Houston, Vallejo Rifles, Second Brigade, National Guard of California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 1st, 1868. }

[*Special Order, No. 4.*]

Leave of absence is hereby granted Major J. H. Marston, of the First Regiment of Cavalry, Second Brigade, National Guard of California, for six months from January first, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 1st, 1868. }

[*Special Order, No. 5.*]

The resignation of Captain D. A. DeMerritt, of the City Guard, Company A, Fourth Infantry Regiment, Fourth Brigade, National Guard of California, is accepted, to take effect this first day of February, A. D. eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 13th, 1868. }

[*Special Order, No. 6.*]

The Staff of His Excellency, Governor H. H. Haight, Commander-in-Chief of the National Guard of California, are hereby directed to report in person and full uniform, at the Cosmopolitan Hotel, in the City of San Francisco, on Saturday, February twenty-second, eighteen hundred and sixty-eight, at one o'clock, P. M.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 17th, 1868. }

[*Special Order, No. 7.*]

The resignation of Colonel W. H. L. Barnes, Judge Advocate-General on the Staff of his Excellency the Governor and Commander-in-Chief, H. H. Haight, is accepted, to take effect January third.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 18th, 1868. }

[*Special Order, No. 8.*]

I. Special order number seven, of date February seventeenth, from these headquarters, is hereby revoked.

II. The resignation of Colonel W. H. L. Barnes, Judge Advocate-General on the Staff of the Commander-in-Chief, is accepted, to take effect March first, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 19th, 1868. }

[*Special Order, No. 9.*]

I. The resignation of Colonel Solon Pattee, Paymaster-General on the Staff of the Commander-in-Chief, is accepted, to take effect March first, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 20th, 1868. }

[*Special Order, No. 10.*]

I. Upon the application of Major John W. Winters, commanding, with the approval of Colonel J. W. McKenzie, commanding Second Brigade, N. G. C., it is ordered that Companies A, Montgomery Guard, B, Shields Guard, C, Wolf Tone Guard, and D, Meagher Guard, now comprising the Independent Irish Battalion, in San Francisco, be accepted and mustered in as a part of the National Guard of the State.

II. Adjutant-General Geo. S. Evans will, as soon as practicable, formally muster in the above named companies as a part of the National Guard of the State, and make out commissions for the officers as they now appear upon the application on file, provided each company, upon inspection, proves to have at least sixty-one active members, rank and file.

III. The above named companies, when duly sworn and mustered into service, shall be designated and known as the First Infantry Battalion in the Second Brigade of the National Guard of the State of California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 26th 1868. }

[*Special Order, No. 11.*]

I. Companies hereafter known as Companies B, San José Zouaves, C, Alviso Rifles, and F, Alvarado Guard, will in future be known as Companies A, San José Zouaves, B, Alviso Rifles, and C, Alvarado Guard, Fifth Infantry Battalion, Second Brigade, National Guard of the State of California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, February 24th, 1868. }

[*Special Order, No. 11.*]

I. Major George W. Smiley, Assistant Adjutant-General of the Second Brigade, National Guard of California, is hereby specially detailed and directed to muster into the service of the State, as soon as practicable, Company C (Wolfe Tone Guard), located in San Francisco, and now known as one of the companies of the Independent Irish Battalion Infantry.

II. This company will be mustered in pursuant to and in accordance with special order number ten, from general headquarters, of date February twentieth, eighteen hundred and sixty-eight.

III. Major Smiley will, as soon as he has mustered the company, make a return of the company muster roll, with a full report of his action in the premises, to the general headquarters.

By command of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, February 29th, 1868. }

[*Special Order, No. 12.*]

The resignation of Colonel Robert Simpson, First Infantry Regiment, Second Brigade, N. G. C., is accepted, to take effect March first, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, March 4th, 1868. }

[*Special Order, No. 13.*]

The resignation of First Lieutenant F. Dassonville, of Company A, Fourth Infantry, Fourth Brigade, N. G. C., is accepted, with date of this order.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, March 21st, 1868. }

[*Special Order, No. 14.*]

The resignation of Second Lieutenant Eugene Gorman, Company H, First Infantry, Second Brigade, N. G. C., is accepted, to take effect of date hereof.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, March 23d, 1868. }

[*Special Order, No. 15.*]

I. Upon the recommendation of Lieutenant-Colonel John McComb, commanding Second Infantry, Second Brigade, N. G. C., approved by the Colonel commanding brigade (the company known as the Liberty Guard), Company D, will be mustered out of the service.

II. The commanding officer of the Second Brigade, N. G. C., will detail any officer for the purpose of mustering out Company D, Second Infantry, who will receive and receipt for all arms, clothing and accoutrements (belonging to the State), cause the same to be shipped to the headquarters, with invoices, receipts and muster out roll.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 8th, 1868. }

[*Special Order, No. 16.*]

Leave of absence is hereby granted to Major John Stratman, Second Infantry, Second Brigade, N. G. C., for six months from the date hereof.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

Official: WM. L. USTICK, Major and A. A. G.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 8th, 1868. }

[*Special Order, No. 17.*]

The following resignations are accepted, to take effect with date hereof, viz :

Eli Cook, Captain, Company F, First Infantry.
 Edwin Lewis, Captain, Company D, First Infantry, Second Brigade,
 N. G. C.
 Wm. E. Johnson, First Lieutenant, Company D, First Infantry,
 Second Brigade, N. G. C.

By order of the Commander-in-Chief,

GEO. S. EVANS,
 Adjutant-General, Cal.

Official : WM. L. USTICK, A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 8th, 1868. }

[*Special Order, No. 18.*]

The resignation of Second Lieutenant B. F. Clark, of the Calaveras Light Infantry, Third Brigade, N. G. C., is accepted, to take effect with date hereof.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

Official : WM. L. USTICK, A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 21st, 1868. }

[*Special Order, No. 19.*]

I. You are hereby ordered and directed to immediately box and ship to these headquarters the arms, accoutrements, clothing and State property lately in the possession of the Arcata Guard, Sixth Brigade.

II. Any expenses incurred by you in the shipment of the same will be paid by the State, on proper vouchers sent to these headquarters in duplicate.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

Captain P. BAMO, late Com. Arcata Guard, Sixth Brigade.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 22d, 1868. }

[*Special Order, No. 20.*]

I. You are hereby ordered and directed to immediately box up and ship to these headquarters the arms, accoutrements and State property lately in the possession of the Crescent City Guard, Sixth Brigade.

II. Any expenses incurred by you in the shipment of the same will be paid by the State, on proper vouchers sent to these headquarters in duplicate.

By order of the Commander-in-Chief,

GEO. S. EVANS,
Adjutant-General, Cal.

JNO. A. BAXTER, Crescent City.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 22d, 1868. }

[*Special Order, No. 21.*]

I. You are hereby ordered and directed to immediately box up and ship to these headquarters the arms, accoutrements, clothing and State property lately in the possession of the Campo Seco Union Guard, Third Brigade.

II. Any expenses incurred by you in the shipment of the same will be paid by the State, on proper vouchers sent to these headquarters in duplicate.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

H. A. MESSINGER.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 21st, 1868. }

[*Special Order, No. 22.*]

I. You are hereby ordered and directed to immediately box up and ship to these headquarters, arms, accoutrements, clothing and State property lately in the possession of the Copperopolis Union Guard, Third Brigade.

II. Any expenses incurred by you in the shipment of the same will be paid by the State, on proper vouchers sent to these headquarters in duplicate.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

JACKSON & Co.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 21st, 1868. }

[*Special Order, No. 23.*]

I. You are hereby ordered and directed to immediately box up and ship to these headquarters, the arms, accoutrements, clothing and State property in your possession.

II. Any expense incurred by you in the shipment of the same will be paid by the State, on proper vouchers sent to these headquarters in duplicate.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

SHERIFF OF BUTTE COUNTY.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, May 12th, 1868. }

[*Special Order, No. 24.*]

I. Brigadier-General James C. Roley, commanding Fifth Brigade, National Guard of California, will at once, upon the receipt of these orders, issue an order assembling in their respective armories, at such time as he may designate, the officers, non-commissioned officers, musicians and privates of the following named companies of the Fifth Brigade, National Guard of California, viz: Company A, Oroville Guards, and Company F, Trinity Guards, with their uniforms, arms and equipments complete, for inspection and muster.

II. General Roley will instruct the commanding officers of the above mentioned companies to cause all their members to be present as directed, and to have all the property in the possession of the company belonging to the State, including books, papers, etc., with a report of the moneys received from the State, and their expenditure, with the necessary vouchers, ready for inspection at the time specified.

III. Brigadier-General J. C. Roley will proceed to muster and inspect the above named companies, and is hereby authorized and directed to muster them out of the State service, and to take charge of their arms, equipments, clothing and all property in their possession belonging to the State.

IV. General Roley will receipt to the commanding officers of the above mentioned companies, for each and every article of State property turned over to him, and transmit a certified copy of the invoices to these headquarters. The arms, equipments, clothing and all other State property will be carefully packed in arm chests and suitable boxes and packages, each box and package distinctly labelled with the name or letter of the company, and directed to the Adjutant-General of the State, and immediately forwarded by the safest and most economical means of transportation to these headquarters.

V. General Roley complied with the above instructions, General Roley will report by letter to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, May 12th, 1868. }

[*Special Order, No. 25.*]

The resignation of First Lieutenant and Adjutant S. B. Pike, First Cavalry, Second Brigade, National Guard of California, is hereby accepted from date thereof.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, May 12th, 1868. }

[*Special Order, No. 26.*]

II. Upon the application of the Emmet Guard, with approval of Colonel J. W. McKenzie, commanding Second Brigade, National Guard of California, it is ordered that the said Emmet Guard, of San Francisco, be accepted and mustered into the service of the State as a part of the National Guard, and that they shall fill the vacancy of the First Infantry, Second Brigade, National Guard California, caused by the muster out of the Liberty Guard, Company D.

Colonel J. W. McKenzie will, as soon as practicable, direct a proper officer of the National Guard of California to formally muster in the above named company as a part of the Second Infantry, Second Brigade, National Guard of California, provided the company, on inspection, proves to consist of the number of members legally required.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, May 13th, 1868. }

[*Special Order, No. 27.*]

The resignation of Captain F. B. Harrington, Captain Eureka Guard, Company E, Second Infantry, Second Brigade, National Guard of California, is hereby accepted, to date from May fifth, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 19th, 1868. }

[*Special Order, No. 28.*]

I. Special order number twenty-six, from these headquarters, is hereby revoked, and the company known as Emmet Guard will hereafter be attached to the First Battalion Infantry, National Guard of California, Second Brigade.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 21st, 1868. }

[*Special Order, No. 29.*]

I. Pursuant to the application of the members of the company styled the Germania Rifles, and upon the recommendation of the commanding officer of the brigade, they are hereby accepted, and will be duly mustered into the State service as a part of the National Guard of California, to fill the vacancy existing in the Second Infantry, Second Brigade, caused by the muster out of the Liberty Guard, Company D.

II. Colonel J. W. McKenzie, commanding Second Brigade, will, as soon as practicable, detail a proper officer to muster in the above named company, provided that the company, upon inspection, meets the requirements of the law.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 21st, 1868. }

[*Special Order, No. 30.*]

I. Colonel J. W. McKenzie, commanding Second Brigade, N. G. C., will, upon the receipt of these instructions, issue orders assembling in their respective armories, at such time as he may designate, prior to the tenth of June, eighteen hundred and sixty-eight, the officers, non-commissioned officers, musicians and privates of the following named companies of the Second Brigade, N. G. C., with uniforms, arms and equipments complete for muster and inspection :

Suisun Light Dragoons, Company D, First Cavalry, Second Brigade, N. G. C.

Napa Rangers, Company G, First Cavalry, Second Brigade, N. G. C.
 Alvarado Guard, Company C, Fifth Infantry, Second Brigade, N. G. C.
 Oakland Guard, unattached, Second Brigade, N. G. C.
 Vallejo Rifles, unattached, Second Brigade, N. G. C.

II. Colonel McKenzie will instruct the commanding officers of the companies mentioned in section first of this order to cause all the members to be present as directed, and to have all the State property now in the possession of the company, including books, papers, etc., with a report of all the moneys received from the State and its disposition, with the necessary vouchers, ready for inspection at the time specified.

III. The inspecting officer to be appointed by Colonel McKenzie will proceed to muster and inspect the companies above mentioned, and is hereby authorized and directed to muster it or them out of the service of the State, and to take charge of their arms, equipments, clothing and all State property, and to receipt to the commanding officers for each and every article received, and transmitted to these headquarters, through the proper military channel, certified copies of such receipts.

IV. The mustering and inspecting officer will cause the arms, equipments, clothing, etc., of the disbanded company, to be carefully packed in arm chests, boxes, and suitable packages, each box distinctly labelled with the *name* and *letter* of the company and directed to the Adjutant-General of the State, and immediately forwarded by the safest and most economical means of transportation to this office.

V. Having complied with the above instructions, the inspecting and mustering officer will report through the brigade commander to these headquarters. He will also be guided by section sixty-two of the amendatory law in relation to the National Guard of California, in making out his vouchers for expenses incurred in performance of his orders. The vouchers will be transmitted in duplicate, with a copy of his orders attached and approved by the brigade commanders.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, May 22d, 1868. }

[*Special Order, No. 31.*]

I. Upon receipt of these instructions, Colonel J. W. McKenzie, commanding Second Brigade, National Guard of California, will issue orders to the commanding officers of the Burnett Light Horse Guard, Company E, First Regiment Cavalry, N. G. C.; New Almaden Cavalry, Company F, First Regiment Cavalry, N. G. C.; Alviso Rifles, Company B, Fifth Infantry Battalion, to assemble their officers, non-commissioned officers, musicians and privates of the above mentioned companies, with uniforms, arms and accoutrements complete, for muster and inspection, the companies to be assembled day and date as follows:

New Almaden Cavalry, on Tuesday, June second, eighteen hundred and sixty-eight, at seven o'clock P. M.

Burnett Light Horse Guard, on Thursday, June fourth, eighteen hundred and sixty-eight, at seven o'clock P. M.

Alviso Rifles, Saturday, June sixth, eighteen hundred and sixty-eight, at seven o'clock P. M.

Colonel McKenzie will issue similar instructions to those contained in section two, special order number thirty, current series.

II. Brigadier-General James M. Allen, Adjutant-General, is hereby ordered to muster and inspect said companies, and to muster them out of the State service and take possession of all property in their possession belonging to the State.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA,
Adjutant-General's Office, Sacramento, May 22d, 1868. }

[*Special Order, No. 32.*]

I. Brigadier-General Howell, commanding Fourth Brigade, N. G. C., will, upon receipt of these instructions, issue orders, assembling in their respective armories at such time as he may designate, prior to the first of June, eighteen hundred and sixty-eight, the officers, non-commissioned officers, musicians and privates of the following named companies of the Fourth Brigade, N. G. C., with uniforms, arms and accoutrements complete, for muster and inspection, viz:

Volcano Blues, Company C, Fourth Infantry, Fourth Brigade, N. G. C.
Georgetown Union Guard, Company F, Fourth Infantry, Fourth Brigade, N. G. C.

Jackson Guard, Company H, Fourth Infantry, Fourth Brigade, N. G. C.

Auburn Grays, Company D, Fifth Infantry, Fourth Brigade, N. G. C.

Howell Zouaves, Company E, Fifth Infantry, Fourth Brigade, N. G. C.

Pacific Guard, Company F, Fifth Infantry, Fourth Brigade, N. G. C.

National Guard, unattached, of Downieville.

II. General Howell will instruct the commanding officers, in section one of this order, to cause all the members to be present as directed, and to have all the State property now in possession of the company, including books, papers, etc., with a report of all the moneys received from the State, and its disposition, with the necessary vouchers, ready for inspection at the time specified.

III. General Howell will appoint a proper officer who will proceed at the specified time to muster and inspect the companies mentioned in section one of this order, who is hereby authorized and directed to muster said company, or companies out of the State service, and to take charge of their arms, equipments, clothing and all State property, and receipt to the commanding officer for each and every article, and transmit to these headquarters, through the proper military channel, certified copies of such receipts.

IV. The mustering and inspecting officer will cause the arms, ammunition, equipments, clothing and all State property, to be properly packed in arm chests, boxes and suitable packages, each box and package to be distinctly labelled with the name and letter of the company, and directed to the Adjutant-General of the State, and immediately forwarded by the safest and most economical means of transportation to these headquarters.

V. Having complied with the above instructions, the mustering and inspecting officer will report, through the Brigade Commander, the result of his mission. He will be guided by section sixty-two of the amendatory law in relation to the National Guard of California in making out his vouchers for expenses incurred in the performance of his orders. The vouchers will be transmitted in duplicate, with attached copies of his orders, through the Brigade Commander, for approval.

By order of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 23d, 1868. }

[*Special Order, No. 33.*]

I. Brigadier-General William A. Davies, commanding Third Brigade, National Guard of California, will, upon receipt of these instructions, issue orders, assembling in their respective armories at such time as he may designate, prior to the twentieth of June, eighteen hundred and sixty-eight, the officers, non-commissioned officers, musicians and privates of the following named companies of the Third Brigade, National Guard of California, with uniform, arms and accoutrements complete, for muster and inspection:

Tuolumne Guard, Columbia.

Calaveras Light Guard, Murphy's.

II. General Davies will instruct the commanding officers of the above mentioned companies to cause all the members to be present as directed, and to have all the State property now in their possession, including books, papers, etc., with a report of all the moneys received from the State and its disposition, with the necessary vouchers, ready for inspection at the time specified.

III. General Davies will appoint a proper officer, who will proceed at the specified time to muster and inspect the companies mentioned in section one of this order, who is hereby authorized and directed to muster said companies out of the State service, and to take charge of their arms, equipments, clothing and all State property, and receipt to the commanding officer for each and every article, and transmit to these

headquarters, through the proper military channel, certified copies of such receipts.

IV. The mustering and inspecting officers will cause the arms, ammunition, equipments, clothing and all State property to be properly packed in arm chests, boxes and suitable packages; each box and package to be distinctly labelled with the name and letter of the company, and directed to the Adjutant-General of the State, and immediately forward to these headquarters by the safest and most economical means of transportation.

V. Having complied with the above instructions, the mustering and inspecting officer will report, through the headquarters of the Brigade Commander, the result of his mission. He will be guided by section sixty-two of the amendatory law in relation to the National Guard of California, in making out the vouchers for expenses incurred in the performance of his orders. The vouchers will be transmitted in duplicate, with attached copies of his acting orders, through the Brigade Commander, for approval.

By order of the Commander-in-Chief,

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 23d, 1868. }

[*Special Order, No. 34.*]

I. Upon receipt of these instructions, Brigadier-General William A. Davies, commanding Third Brigade, National Guard of California, will issue an order embodying the instructions contained in sections one and two, special order number thirty-three, current series, to the Stockton City Guard, Third Brigade, National Guard of California, and to assemble in their armory on Friday, June twelfth, at seven o'clock P. M., armed, equipped and uniformed complete, for muster and inspection.

II. Brigadier-General James M. Allen, Adjutant-General, is hereby appointed mustering and inspecting officer, and will proceed to muster, inspect, and is hereby authorized and directed to muster out of the State service the Stockton City Guard, Third Brigade, National Guard of California, at the time specified in section one of this order.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WILLIAM W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 23d, 1868. }

[*Special Order, No. 35.*]

I. Upon receipt of these instructions, Brigadier-General J. C. Roley, commanding Fifth Brigade, National Guard of California, will issue orders assembling in their respective armories, prior to the twentieth of June, eighteen hundred and sixty-eight, the officers, non-commissioned officers, musicians and privates of the following named companies, unattached, Fifth Brigade, National Guard of California, for inspection and muster, viz :

Honey Lake Rangers, Susanville.
Lyon Light Infantry, Shasta.
Siskiyou Light Guard, Yreka.
La Porte Guard, La Porte.

II. General J. C. Roley is hereby authorized to muster and inspect, and to muster out of the State service, the companies mentioned in section one of this order, and will be guided by instructions received by him in sections two, three, four and five, special order number twenty-four, Headquarters State of California, May twelfth, eighteen hundred and sixty-eight.

By command of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General, Cal.

Official : WILLIAM W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 26th, 1868. }

[*Special Order, No. 36.*]

I. Special order number thirty-four, dated Headquarters State of California, Sacramento, May twenty-third, is hereby revoked.

II. Upon receipt of these instructions, Brigadier-General William A. Davies, commanding Third Brigade, National Guard of California, will issue an order, embodying the instructions contained in sections one and two, special order number thirty-three (current series), to the Stockton Light Artillery, unattached, Third Brigade, National Guard of California, to assemble the whole command, including officers, non-commissioned officers and privates, in their armory, armed, uniformed and equipped for inspection and muster, on Tuesday, June sixteenth, at seven o'clock, P. M.

II. Brigadier-General James M. Allen, Adjutant-General, is hereby appointed inspecting and mustering officer, and is hereby directed and authorized to inspect, muster and muster out of the State service the company known as the Stockton Light Artillery, Third Brigade, National Guard of California, at the time specified in this order, section one

JAMES M. ALLEN,

Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, May 28th, 1868. }

[*Special Order, No. 37.*]

So much of special order number thirty-two, section two, as refers to Howell Zouaves, Company E, Fourth Infantry Brigade, National Guard of California, is hereby revoked, and that company will be continued in the State service until further orders.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 4th, 1868. }

[*Special Order, No. 38.*]

I. So much of special order number thirty, dated Headquarters N. G. C., May twenty-first, eighteen hundred and sixty-eight, as relates to the Vallejo Rifles, unattached, Second Brigade, N. G. C., is hereby revoked, and they will be retained in the State service.

II. The resignation of John Kearn, First Lieutenant, Company E, Second Infantry, Second Brigade, N. G. C., is hereby accepted, from date thereof.

III. The resignation of J. C. Shaw, First Lieutenant, Stockton City Guard, Third Brigade, N. G. C., is hereby accepted, from date thereof.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 13th, 1868. }

[*Special Order, No. 39.*]

So much of special order number thirty, Headquarters State of California, May twenty-second, eighteen hundred and sixty-eight, as relates to the Oakland Guard, unattached, Second Brigade, N. G. C., is hereby revoked, and the company will be retained in the State service until further notice from these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, June 14th, 1868. }

[*Special Order, No. 40.*]

Commanding officers of batteries of the National Guard in the service of the State of California are hereby strictly prohibited from allowing their guns to be used for the purpose of firing salutes for any political party whatever.

By order of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, June 19th, 1868. }

[*Special Order, No. 41.*]

I. The resignations of the following named officers of the First California Guard, Second Brigade, N. G. C., viz: Captain Samuel Brannan, Junior First Lieutenant George B. Folman, and First Lieutenant W. W. Wilson, are hereby accepted from date thereof.

II. The resignation of Captain P. McGuire, Company D, Meagher Guard, First Battalion Infantry, Second Brigade, N. G. C., is hereby accepted.

III. Leave of absence is hereby granted, for six months from date, to Major Thos. J. P. Lacy, on Staff of Brigadier-General of Second Brigade, N. G. C.

By order of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, June 19th, 1868. }

[*Special Order, No. 41.*]

IV. The resignation of George Boehme, Captain Sacramento Hussars, unattached, Fourth Brigade, N. G. C., is hereby accepted from date.

By order of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, July 1st, 1868. }

[*Special Order, No. 42.*]

I. Colonel McKenzie, commanding Second Brigade, N. G. C., will, immediately upon receipt of this order, issue brigade orders, disbanding the McKenzie Zouaves, Company F, Second Regiment, Second Brigade, N. G. C., for non-compliance with the military laws governing the National Guard. Colonel McKenzie will detail an officer to muster out the company and receive all State property in their possession. Colonel McKenzie will also give the officer detailed the instructions contained in sections three and four, special order number thirty, General Headquarters, State of California, current series, in regard to the disposal of the State property.

II. The election of W. W. Watson, as Junior First Lieutenant of First California Guards, is hereby annulled, and a new election will be ordered to fill existing vacancies.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, July 8th, 1868. }

[*Special Order, No 43.*]

I. The field and staff officers of the First Regiment of Cavalry, Second Brigade, N. G. C., are hereby ordered to be mustered out of the State service, and the remaining companies of the late regiment will be formed into a battalion, to be known as the First Battalion Cavalry, Second Brigade, N. G. C.; the remaining companies to retain their former letters and names.

II Colonel J. W. McKenzie, commanding Second Brigade, National Guard of California, will immediately order an election for a Major to command the First Battalion of Cavalry, Second Brigade, National Guard of California.

III. The field and staff officers of the late Fifth Battalion Infantry, National Guard of California, are hereby ordered mustered out of the State service, and the San José Zouaves will remain an unattached company of the Second Brigade, National Guard of California.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, July 8th, 1868. }

[*Special Order, No. 44.*]

The field and staff officers of the Fourth and Fifth Regiments of Infantry, National Guard of California, Second Brigade, are hereby ordered mustered out of the State service, and the remaining companies will, until further orders, remain unattached.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, August 3d, 1868. }

[*Special Order, No. 45.*]

I. The resignation of A. B. Wood, First Lieutenant and Adjutant, First Infantry, Second Brigade, National Guard of California, is hereby accepted, to date from August third, eighteen hundred and sixty-eight.

II. The resignation of Lieutenant-Colonel William C. Little, First Infantry, Second Brigade, National Guard of California, and Mortimer G. Shove, First Lieutenant, Company F, First Regiment, Second Brigade, National Guard of California, are not accepted, for the reason that they sought the positions which they now hold, and do not assign sufficient reasons for resigning. Officers seeking and obtaining commissions in the National Guard of California will not be allowed to resign, excepting for good and valid reasons.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 3d, 1868. }

[*Special Order, No. 46.*]

I. The company organized and known as the Sarsfield Guard, located in San Francisco, will be immediately mustered into the State service, and attached to the First Infantry Battalion, Second Brigade, National Guard of California, with the rank and designation as Company F.

II. Adjutant-General James M. Allen is hereby detailed to muster the Sarsfield Guard into the National Guard of California, as Company F, First Infantry Battalion, Second Brigade.

III. The election of officers of the Sarsfield Guard, reported to these headquarters, and approved by the Battalion and Brigade Commanders, is hereby approved and confirmed.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 10th, 1868. }

[*Special Order, No. 47.*]

The company known as the Red Bluff Guard, Fifth Brigade, National Guard of California, having lost their arms, uniforms and equipments by fire, and having become so much disorganized thereby that, in the opinion of its commanding officer, it will be impossible to reform it in conformity to the requirements of the militia law, it is hereby ordered to be mustered out of the State service; and the commanding officer will forward to these headquarters the proper affidavit regarding the loss of all the State property formerly in his possession.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 15th, 1868. }

[*Special Order, No. 48.*]

I. Brigadier-General Hewston, commanding Second Brigade, National Guard of California, will issue orders convening a Court of Inquiry, in conformity with the rules of the United States army regulations, to inquire into the nature and facts of the claim of Captain A. Wason, of the Wolfe Tone Guard, Company C, First Battalion Infantry, Second Brigade, National Guard of California, to the rank of Senior Captain of said battalion.

II. A record of the proceedings of the Court of Inquiry ordered to be convened in section one of this order will be duly transmitted to these headquarters, for the consideration of the Commander-in-Chief.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 17th, 1868. }

[*Special Order, No. 49.*]

I. The resignations of the following named officers of the Second Brigade, National Guard of California, viz: Lieutenant-Colonel W. G. Little, First Infantry; Captain Stephen Barker, Company F, Light Guard, First Infantry; First Lieutenant Joseph Dauphin, Company B, Veteran Guard, Second Infantry; and Second Lieutenant William M. McCabe, Company B, Veteran Guard, Second Infantry, are hereby approved and accepted from dates thereof.

II. The resignation of Colonel J. W. McKenzie, Second Infantry, Second Brigade, National Guard of California, is hereby disapproved. Colonel McKenzie offers no sufficient reason for resigning, and the efficient services he has and can render to the State, as an officer of the National Guard of California, combining military skill with executive ability, cause it to be desirable that he retain his commission and position.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 20th, 1868. }

[*Special Order, No. 50*]

Brigadier-General J. Howell, commanding Fourth Brigade, National Guard of California, is hereby appointed Inspector, to inspect and report the condition and proper disposition of clothing, arms, accoutrements, etc, belonging to the State and at present lying in the State Armory, such inspection and report to be made in conformity with the United States army regulations.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. G.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 28th, 1868. }

[*Special Order, No. 51.*]

I. Special order number forty-eight from these headquarters, series eighteen hundred and sixty-eight, in relation to holding Court of Inquiry, is hereby rescinded, and will be returned to these headquarters immediately.

II. Major J. W. Winters, First Infantry Battalion, Second Brigade, National Guard of California, is hereby commanded to assemble all of the commissioned officers of his battalion at the Battalion Armory, in San Francisco, October sixth, eighteen hundred and sixty-eight, at eight o'clock P. M., in full uniform, for the purpose of pursuing the investigation concerning the rank of Captains in said battalion.

By command of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. G.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, October 12th, 1868. }

[*Special Order, No. 52.*]

The cavalry company organized in San Francisco, and known as the Haight Light Horse Guard, will be mustered into the State service and attached to the First Cavalry Battalion, Second Brigade, National Guard of California, as Company B.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, October 12th, 1868. }

[*Special Order, No. 53.*]

Brigadier-General W. A. Davies, commanding Third Brigade, National Guard of California, will, immediately upon the receipt of this order, detail a suitable officer to proceed to Stockton and muster out of the State service the company known as the Stockton City Guard. The mustering out officer will be guided by the instructions contained in special order number thirty-four, series eighteen hundred and sixty-eight.

By command of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, November 13th, 1868. }

[*Special Order, No. 54.*]

The resignations of First Lieutenant Frank Grady, Company G, Eureka Guard, Second Regiment of Infantry, and Second Lieutenant L. H. Nickerson, Company A, State Guard, First Regiment of Infantry, Second Brigade, National Guard of California, are hereby accepted, from dates thereof.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, November 13th, 1868. }

[*Special Order, No. 55.*]

The resignation of Colonel J. M. McNulty, Surgeon-General on Staff of the Commander-in-Chief, is hereby accepted, to take effect from date of this order.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, November 19th, 1868. }

[*Special Order, No. 56.*]

Captain A. Wasson, commanding Wolfe Tone Guard, Company C, First Battalion of Infantry, Second Brigade, National Guard of California, is hereby ordered to return his commission of said office to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 2d, 1868. }

[*Special Order, No. 57.*]

The resignation of Captain James N. Tinan, commanding Veteran Guard, Company B, Second Regiment of Infantry, Second Brigade, National Guard of California, is hereby accepted, from this date.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 10th, 1868. }

[*Special Order, No. 58.*]

I. Upon receipt of these instructions, Brigadier-General Josiah Howell, commanding Fourth Brigade, National Guard of California, will issue an order to the Marysville Light Artillery, Company B, First Battalion Artillery, Fourth Brigade, to assemble in their armory on Thursday, January seventh, eighteen hundred and sixty-nine, at seven o'clock P. M., armed and equipped and uniformed complete, for muster and inspection.

II. General Howell will instruct the commanding officer of the above named company to cause all the members to be present, as directed, and to have all the State property now in their possession, including books, papers, etc., with a report of all moneys received from the State and its dispositions, with the necessary vouchers, ready for inspection at the time specified.

III. Brigadier-General James M. Allen, Adjutant-General, is hereby appointed mustering and inspecting officer, and will proceed to muster, inspect, and is hereby authorized and directed to muster out of the State service the Marysville Light Artillery, Company B, First Battalion Artillery, Fourth Brigade, National Guard of California, at the time specified in section one of this order.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 17th, 1868. }

[*Special Order, No. 59.*]

I. The resignation of First Lieutenant A. K. Church, of State Guard, Company A, First Regiment of Infantry, Second Brigade, National Guard of California, is hereby accepted from date thereof.

By order of the Commander-in-Chief,

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 21st, 1868. }

[*Special Order, No. 60.*]

I. The recommendation of Brigadier-General Josiah Howell, Inspector of State Armory, in reference to the condemnation and sale of the damaged uniforms, tents and camp equipage contained in said armory, is hereby approved, and said property condemned in accordance therewith.

II. The Adjutant-General will cause the above named property to be sold at public auction, at as early a day as practicable; notice to be given by advertisement in two or more of the public prints ten days before the sale.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, January 13th, 1869. }

[*Special Order, No. 1.*]

The field and staff officers of the First Artillery Battalion, Fourth Brigade, N. G. C., are hereby mustered out of the State service, and the Sacramento Light Artillery, Company A, will, until further orders, remain unattached.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 3d, 1869. }

[*Special Order, No. 2.*]

I. Brigadier-General John Hewston, Jr., commanding Second Brigade, N. G. C., will issue orders convening a Court of Inquiry, in conformity with the rules of the United States army regulations, to inquire into the facts of the charges preferred against Second Lieutenant Charles Prior, Company B, First Battalion Infantry, Second Brigade, N. G. C.

II. A record of the proceedings of the Court of Inquiry ordered to be convened in section one of this order will be duly transmitted to these headquarters for the consideration of the Commander-in-Chief.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, February 3d, 1869. }

[*Special Order, No. 3.*]

I. The resignation of Captain J. V. McElwee, commanding San Francisco Guard, Company D, First Regiment Infantry, Second Brigade, N. G. C., is hereby accepted from this date.

II. The resignation of Captain Josiah Hand, commanding State Guard, Company A, First Regiment Infantry, Second Brigade, N. G. C., is hereby accepted from this date.

III. The resignation of First Lieutenant Henry C. Bateman, Meagher Guard, Company B, First Battalion Infantry, Second Brigade, N. G. C., is hereby accepted from this date.

IV. The resignation of First Lieutenant John Leary, Shields Guard, Company B, First Battalion Infantry, Second Brigade, National Guard of California, is hereby accepted from this date.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 4th, 1869. }

[*Special Order, No. 4.*]

I. The company organized in Red Bluff, Tehama County, will be immediately mustered into the State service as an unattached company of the Fifth Brigade, National Guard of California.

II. Brigadier-General James C. Roley, is hereby detailed to muster in said company, and to preside at election of officers.

III. A record of proceeding and copy of these orders will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, March 5th, 1869. }

[*Special Order, No. 5.*]

I. The resignation of Captain Charles H. Daly, commanding Company E, Sumner Light Guard, First Regiment Infantry, Second Brigade, National Guard of California, is hereby accepted, from date of this order.

II. The resignation of First Lieutenant J. M. Hurd, Company C, Franklin Guard, First Regiment Infantry, Second Brigade, National Guard of California, is hereby accepted, from date of this order.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, March 6th, 1869. }

[*Special Order, No. 6.*]

Senior Second Lieutenant R. Dale, Sacramento Light Artillery, unattached, Fourth Brigade, National Guard of California, is hereby granted leave of absence from the State, for six months, from March eighth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, March 8th, 1869. }

[*Special Order, No. 7.*]

I. Upon receipt of these instructions, Brigadier-General John Hewston, Jr., commanding Fourth Brigade, National Guard of California, will issue an order to the State Guard, Company A, First Regiment Infantry, Second Brigade, to assemble in their armory on Saturday, March thirteenth, eighteen hundred and sixty-nine, at seven o'clock p. m., armed, equipped and uniformed complete, for muster and inspection.

II. General Hewston will instruct the commanding officer of above named company to cause all the members to be present, as directed, and to have all the State property now in their possession, including books, papers, etc., with a report of all the moneys received from the State, and its disposition, with the necessary vouchers, ready for inspection at the time specified.

III. Colonel J. W. McKenzie, commanding Second Regiment Infantry, Second Brigade, is hereby appointed mustering and inspecting officer, and will proceed to muster, inspect, and is hereby authorized and directed to muster out of the State service the State Guard, Company A, First Regiment Infantry, Second Brigade, National Guard of California, at the time specified in section one of this order.

IV. A record of proceedings and copy of these orders will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, April 1st, 1869. }

[*Special Order, No. 8.*]

I. Captain James H. K. Barbour, commanding Vallejo Rifles, unattached. Second Brigade, National Guard of California, is hereby granted leave of absence from the State for six months, from March first, eighteen hundred and sixty-nine.

II. The resignation of Second Lieutenant James McDermott, Company G, Eureka Guard, Second Regiment Infantry, Second Brigade, National Guard of California, is hereby accepted from date thereof.

III. The resignation of Second Lieutenant Daniel McSwegan, Company F, Sarsfield Guard, First Battalion Infantry, Second Brigade, National Guard of California, is hereby accepted from date thereof.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 16th, 1868. }

[*Special Order, No. 9.*]

I. The company known as the State Guard, Company A, First Regiment Infantry, Second Brigade, N. G. C., having on the first day of March, eighteen hundred and sixty-nine, vacated their armory, are hereby declared mustered out of the State service.

II. Brigadier-General John Hewston, Jr., commanding the Second Brigade, N. G. C., will, immediately on receipt of this order, detail a proper officer, who will proceed to the store house wherein the arms and clothing of said company are stored, and take possession of same, and will cause the arms, equipments, clothing, and all other State property to be properly packed in arm chests, boxes and suitable packages, each box to be distinctly labelled and directed to the Adjutant-General of the State, and forwarded to these headquarters without delay.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 19th, 1869. }

[*Special Order, No. 10.*]

I. The Court of Inquiry ordered to be convened, per special order number two, General Headquarters, current series, to inquire into facts of charges preferred against Second Lieutenant Charles Prior, Company B, First Infantry Battalion, Second Brigade, N. G. C., is hereby dissolved.

II. The resignation of Second Lieutenant Charles Prior, Company B (Shields Guard), First Infantry Battalion, Second Brigade, N. G. C., is accepted from April fifteenth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 2d, 1869. }

[*Special Order, No. 11.*]

I. The resignation of Senior Second Lieutenant John H. Coulyer, First California Guard, unattached Artillery, Second Brigade, National

Guard of California, is hereby accepted, from June first, eighteen hundred and sixty-nine.

II. The resignation of First Lieutenant John Sampson, Company G, Ellsworth Rifles, First Regiment Infantry, Second Brigade, National Guard of California, is hereby accepted, from June first, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 18th, 1869. }

[*Special Order, No. 12.*]

I. The resignation of Captain T. W. Sheehan, commanding Emmet Guard, unattached, Fourth Brigade, National Guard of California, is hereby accepted, from June sixteenth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 25th, 1869. }

[*Special Order, No. 13.*]

I. The company of infantry organized in Sonoma County, located in Petaluma, will be immediately mustered into the State service, and be known as the Hewston Guards, unattached, Second Brigade, National Guard of California.

II. Brigadier-General John Hewston, Junior, commanding Second Brigade, National Guard of California, will, upon receipt of these instructions, detail a proper officer to inspect and muster into the State service the said Hewston Guards, and to preside at election of officers for the same.

III. A record of proceedings and a copy of this order will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 30th, 1869. }

[*Special Order, No. 14.*]

I. The resignation of Senior First Lieutenant Henry J. Pippy, First California Guard, unattached Artillery, Second Brigade, National Guard of California, is hereby accepted, from June first, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, July 16th, 1868. }

[*Special Order, No. 15.*]

I. The recommendations of Major-General L. H. Allen, commanding First Division, National Guard of California, and Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, relative to the disbandment and muster out of State service certain companies attached to the Second Brigade, National Guard of California, for mutinous, disorderly and disobedient conduct, and for non-compliance with the law governing the National Guard, is hereby approved, and the following named organizations are hereby ordered to be mustered out of the State service immediately :

California Tigers, Company H, First Regiment Infantry, Second Brigade, National Guard of California.

Shields Guard, Company B, First Battalion Infantry, Second Brigade, National Guard of California.

Excelsior Guard, Company E, Second Regiment Infantry, Second Brigade, National Guard of California.

Eureka Guard, Company G, Second Regiment Infantry, Second Brigade, National Guard of California.

II. Colonel J. W. McKenzie is hereby appointed Inspector and mustering out officer, for the purpose of mustering out of State service the companies known as California Tigers, Excelsior Guard and Eureka Guard; and Lieutenant-Colonel J. W. Winters is also appointed Inspector and mustering out officer, for the purpose of mustering out of the State service the company known as Shields Guard. The officers named are hereby directed and authorized to inspect, muster and muster out of the State service, and to take charge of all arms, equipments, clothing and all other State property in the possession of the companies named above, at such time as will be hereafter designated by the Brigade General commanding.

III. The mustering and inspecting officers will cause the arms, equipments, clothing and all other State property, to be properly placed in arm chests and boxes, each box and chest to be distinctly labelled with the name and letter of the company, and directed to the Adjutant-Gen-

eral of the State, and immediately forwarded to these headquarters by the safest and most economical means of transportation.

IV. A record of proceedings and copy of these orders will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, July 17th, 1869. }

[*Special Order, No. 16.*]

I. Brigadier-General Josiah Howell, commanding Fourth Brigade, National Guard of California, and Inspector of State Armory, is hereby relieved from further attention to the subject matter of his said report of inspection of State Armory, of date November thirtieth, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, July 28th, 1869. }

[*Special Order, No. 17.*]

I. The charge and specifications presented by Captain A. Wason, commanding Company C, First Infantry Battalion, Second Brigade, National Guard of California, against Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, have been examined and considered. The substance of the charge is, a lack of authority in the Brigadier-General, under the militia law, to order a parade of a regiment or company in any other place than that in which the members of the company or regiment reside. It seems apparent, from an examination of the law, that the Brigadier-General has the right to order a parade of any company or regiment under his command at any place within the limits of his brigade. The impression upon which the charge is founded seems to be, that the place of parade on the Fourth of July should be designated by the Colonel or officer in immediate command of the regiment or battalion. This construction, however, would make the Colonel or officer in immediate command independent, not only of the order of his superior officer, the Commander of the Brigade, but also of the Major-General and the Commander-in-Chief. It would leave the militia organization without any controlling head on that day, and practically useless for any emergency. A construction involving such

results is obviously inadmissible. The request for a Court-martial is therefore denied, and the Adjutant-General is directed to transmit to Captain Wason a copy of this order.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, July 30th, 1869. }

[*Special Order, No. 18.*]

I. Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, will issue orders convening a Court of Inquiry, in conformity with the rules of the United States army regulations, to inquire into the facts of the charges preferred against Captain Charles O'Donnel, commanding Company F, Sarsfield Guard, First Infantry Battalion, Second Brigade, National Guard of California.

II. Lieutenant-Colonel J. W. Winters, commanding First Infantry Battalion, Second Brigade, National Guard of California, is hereby designated as President of said Court of Inquiry, to inquire into the facts of the charges preferred against Captain Charles O'Donnel, commanding Company F, Sarsfield Guard, First Infantry Battalion, Second Brigade, National Guard of California.

III. A record of the proceedings of the said Court of Inquiry, together with copy of these orders, will be duly transmitted to these headquarters for the consideration of the Commander-in-Chief.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, August 4th, 1869. }

[*Special Order, No. 19.*]

I. The resignation of Major John Stratman, Second Regiment of Infantry, Second Brigade, National Guard of California, is hereby accepted, from August second, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief,

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, August 4th, 1869. }

[*Special Order, No. 20.*]

I. The resignation of Lieutenant-Colonel William Harney, Aide-de-Camp, Staff of his Excellency the Commander-in-Chief, is hereby accepted, from August second, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, August 4th, 1869. }

[*Special Order, No. 21.*]

I. The resignation of Lieutenant-Colonel John G. Taylor, Aide-de-Camp, Staff of his Excellency the Commander-in-Chief, is hereby accepted, from August second, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, August 24th, 1869. }

[*Special Order, No. 22.*]

I. The company organized and known as the Hewston Rifles, located in the City of San Francisco, will be immediately mustered into the State service and attached to the First Regiment of Infantry, Second Brigade, National Guard of California, with the rank and designation as Company H.

II. Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, will, upon receipt of these instructions, detail a proper officer to inspect and muster into the State service the said Hewston Rifles, and to preside at election of officers for the same.

III. A record of proceedings and a copy of this order will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official: NAT. BOICE, Major and A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 11th, 1869. }

[*Special Order, No. 23.*]

I. Senior First Lieutenant Albert Leonard, Sacramento Light Artillery, unattached, Second Brigade, National Guard of California, is hereby granted leave of absence from the State for ninety days, from September eighth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 27th, 1869. }

[*Special Order, No. 24.*]

I. Colonel Albert S. Evans, Paymaster on Staff of his Excellency Governor H. H. Haight, is hereby granted leave of absence from the State for ninety days from September thirtieth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 28th, 1869. }

[*Special Order, No. 25.*]

I. The request of Colonel T. B. Ludlum, for leave of absence for six months, is hereby granted, from August thirtieth, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, September 28th, 1869. }

[*Special Order, No. 26.*]

I. The company of infantry organized in Solano County, located in Vallejo, will be mustered into the State service on Monday, October

fourth, eighteen hundred and sixty-nine, and be known as the Frisbie Guard, unattached, Second Brigade, National Guard of California.

II. Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, will, upon receipt of this order, issue notice to the said Frisbie Guard to assemble in their armory, on Monday, October fourth, eighteen hundred and sixty-nine, at the hour of half-past seven, P. M., for inspection and muster into the State service.

III. Brigadier-General James M. Allen, Adjutant-General of the State, is hereby appointed mustering in officer and Inspector, and will proceed to inspect and muster into the State service the said Frisbie Guard, on the day before mentioned.

IV. A record of proceedings and copy of this order will be duly transmitted to these headquarters.

By order of the Commander-in-Chief,

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 28th, 1869. }

[*Special Order, No. 27.*]

I. The Oakland Guard, located in Oakland, Alameda County, is hereby ordered to be attached to the First Infantry Regiment, Second Brigade, National Guard of California, with the rank and designation of Company A.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 3d, 1869. }

[*Special Order, No. 28.*]

I. The company organized and known as the Steuben Guard, located in the City and County of San Francisco, will be immediately mustered into the State service and attached to the Second Regiment of Infantry, Second Brigade, with the rank and designation of Company E.

II. Brigadier-General John Hewston, Jr., commanding Second Brigade, National Guard of California, will, upon receipt of these instructions, and in accordance with the request of said company, issue an order detailing Captain John Sneider, Company D, Second Regiment Infantry, Second Brigade, National Guard of California, to inspect and muster

into the State service the said Steuben Guard, and to preside at the election of officers for the same.

III. A record of proceedings and a copy of this order will be duly transmitted to these headquarters.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 3d, 1869. }

[*Special Order, No. 29.*]

I. The resignations of the following named officers of First Regiment Infantry, Second Brigade, National Guard of California, are hereby accepted, from November first, eighteen hundred and sixty-nine: Colonel T. B. Ludlum, Lieutenant-Colonel Abram Moger, Captain William C. Little, commanding Oakland Guard, Company A, and Captain Douglas Gunn, commanding City Guard, Company B.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 3d, 1869. }

[*Special Order, No. 30.*]

I. The resignation of Captain H. S. Turton, commanding City Guard, unattached, Fourth Brigade, National Guard of California, is hereby accepted, from November first, eighteen hundred and sixty-nine.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, November 3d, 1869. }

[*Special Order, No. 31.*]

I. The recommendation of Brigadier-General John Hewston, Jr. commanding Second Brigade, National Guard of California, in reference

to the disbandment and mustering out of the State service of San Francisco Guard, Company D, First Regiment Infantry, Second Brigade, is hereby approved, and the said company declared mustered out.

II. General Hewston will, immediately upon receipt of this order, detail a proper officer, who will proceed to the armory or store house wherein the arms and clothing of said company are stored, and take possession of same. He will then cause the arms, equipments, clothing, and all other State property, to be properly packed in arm chests, boxes and suitable packages, each to be distinctly labelled and directed to the Adjutant-General of the State, and forwarded to these headquarters without delay.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

GENERAL ORDERS.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, February 14th, 1868. }

[*General Order, No. 1.*]

I. The staff of his Excellency Henry H. Haight, Governor and Commander-in-Chief, consists of the following officers, who will be obeyed and respected accordingly:

Brigadier-General George S. Evans, Adjutant-General, Inspector-General, Quartermaster-General, Commissary-General, and Chief of Ordnance.

Colonel John B. Frisbie, Chief Engineer.

Colonel Solon Pattee, Paymaster-General.

Colonel J. M. McNulty, Surgeon-General.

Colonel W. H. L. Barnes, Judge-Advocate-General.

Lieutenant-Colonel C. W. Crocker, Aide-de-Camp.

Lieutenant-Colonel William Harney, Aide-de-Camp.

Lieutenant-Colonel T. R. Moslay, Aide-de-Camp.

Lieutenant-Colonel Thomas W. Knox, Aide-de-Camp.

Lieutenant-Colonel A. S. Evans, Aide-de-Camp.

Lieutenant-Colonel William Doolan, Aide-de-Camp.

II. The officers above named are hereby directed to appear in full uniform, and report to the Adjutant-General, at the Cosmopolitan Hotel, in the City of San Francisco, California, on Saturday, February twenty-second, eighteen hundred and sixty-eight, at one o'clock P. M., for the inspection and review of the Second Brigade, National Guard of California.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, April 22d, 1868. }

[*General Order, No. 2.*]

The following is promulgated for the information of the National Guard of California and persons having business with this department:

I. Brigadier-General James M. Allen is appointed Adjutant-General of the State of California, vice Evans, removed, with rank from May first, eighteen hundred and sixty-eight.

By order of the Commander-in-Chief.

GEO. S. EVANS,
Adjutant-General, Cal.

Official: WILLIAM L. USTICK, A. A. General.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, June 19th, 1868. }

[*General Order, No. 3.*]

I. Brigade Commanders of the National Guard of California are hereby instructed to direct the different Company Commanders in their respective brigades to muster and inspect their commands on each of the two annual parade days provided by section thirty-two, amendatory law in relation to the National Guard of California, approved March thirtieth, eighteen hundred and sixty-eight, viz: September ninth and at the assemblage for target practice in the month of May; and to forward through the proper military channel, to these headquarters, certified muster and inspection rolls, and also a full return of all State property whatever, received, issued and remaining on hand at time of report, with a certified account of the condition of the same; and where State property has been lost or destroyed, unavoidably or otherwise, to forward sworn vouchers accounting for the same, properly testified to by two or more witnesses.

II. Brigade Commanders are hereby directed to make a yearly report of the number, efficiency and condition of the troops in their respective commands, with such suggestions for their improvement as their experience shall dictate; such report to be forwarded subsequent to the annual parade on the ninth of September of each year and prior to the first of the following October.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
Adjutant-General, Cal.

Official.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, June 24th, 1868. }

[General Order, No. 4.]

For the regulation of, and to secure unanimity in, the reports of target practice of the National Guard of California, it is hereby ordered that, pursuant to the amendatory law in relation to, the National Guard of California shall assemble upon some day to be selected by themselves, during the month of May of each year, and proceed to some convenient locality for the purpose of target practice; and that the following rules shall be strictly adhered to, viz: Size of target for infantry to be six feet by twenty-four inches, with four-inch bull's eye in centre, placed at a distance of one hundred and fifty yards for off-hand shooting, and two hundred and fifty yards for firing from the knee; and for cavalry pistol practice, same sized target, placed at a distance of thirty yards. Hits to be measured from centre of bull's eye to centre of bullet hole; average for misses to be rated at twenty inches; and that company commanders must forward to these headquarters, through the proper military channel, prior to the ensuing fifteenth of June of each year, a correct report of said target practice, upon the proper blanks furnished for that purpose.

By order of the Commander-in-Chief.

JAMES M. ALLEN,
 Adjutant-General, Cal.

Official: WM. W. ELLIOTT, Major and A. A. G.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
 Adjutant-General's Office, Sacramento, December 13th, 1867. }

[General Order, No. 6.]

The following order, received from the War Department, is published for the information and guidance of the National Guard of the State of California:

WAR DEPARTMENT, }
 Washington City, August 1st, 1867. }

ORDER IN RELATION TO THE UPTON'S INFANTRY TACTICS.

The new system of infantry tactics prepared by Brevet Major-General Emory Upton, United States Army, recommended for adoption in the place of all others by a board of officers, of which General Grant is President, having been approved, is adopted for the instruction of infantry of the army of the United States, and for due observance by the militia of the United States.

All infantry exercises and manœuvring not embraced in that system are prohibited, and those therein prescribed will be strictly observed.

By order of the Commander-in-Chief.

GEO. S. EVANS,
 Adjutant-General, Cal.

REPORTS OF BRIGADIER-GENERALS.

REPORTS.

REPORT OF BRIGADIER GENERAL J. HOWELL.

HEADQUARTERS FOURTH BRIGADE, CALIFORNIA NATIONAL GUARD, }
Sacramento, November 30th, 1868.

Hon. H. H. HAIGHT,
Governor and Commander-in-Chief, N. G. C.

SIR: In obedience to special order number fifty, General Headquarters, of date September twentieth, eighteen hundred and sixty-eight, a copy of which is hereunto annexed, I have the honor to report that I have inspected the Quartermaster's stores stored in the State Armory, and find, according to actual count of State Armorer, made under my instructions, the following property on hand and in the condition hereinafter described, viz:

UNIFORMS.	
Uniform coats, damaged.....	2,456
Uniform coats, good order.....	323
Total number of coats.....	2,779
Uniform pants, damaged.....	1,922
Uniform pants, good order.....	235
Total number of pants.....	2,157
Uniform hats, damaged.....	2,517
Uniform caps, damaged.....	355
Total hats and caps.....	2,872
Blouses, one case, badly damaged.....	90

CAMP EQUIPAGE.

Tents, all kinds, in good order.....	217
Tents, badly damaged by fire.....	185
Total number tents, all kinds.....	402

One lot camp kettles, damaged.
 One lot camp stools, damaged.
 One lot mess pans, damaged.
 One lot bread pans, damaged.
 One lot tin buckets, damaged,
 One lot wood buckets, damaged.
 One lot coffee pots, assorted sizes, damaged.
 One lot meat pans, damaged.
 One lot tin cups, damaged.
 One lot tin plates, damaged.
 One lot molasses cups, damaged.
 One lot lanterns, common, damaged.
 One lot tin wash basins, damaged.
 One lot spoons, assorted, damaged.
 One lot fry pans, damaged.
 One lot pepper boxes, damaged.
 One lot candlebras, damaged.
 One lot knives, damaged.
 One lot forks, damaged.

Most of the uniforms reported damaged have become so from wear, the balance by being moth-eaten. Those reported good can be reissued when required, if preserved from dampness and moths.

The tents reported good should, in my opinion, be kept for future use, as they are of good quality and not perishable. Those reported damaged by fire are entirely worthless for military purposes.

In view of the difficulty of preserving the uniforms reported good from future damage, I respectfully recommend that they and the damaged clothing, together with the damaged camp equipage, be condemned and sold.

Owing to the crowded condition of the Armory, it has been impossible to make a proper inspection of the ordnance and ordnance stores, but from a superficial inspection I am satisfied that they require immediate attention to insure preservation from dampness and rust.

Many of the muskets and sabres are old patterns and badly damaged, and if possible, should be returned to the General Government, and the State credited with the same. The horse equipments for cavalry, saddles, bridles, etc., are not in the condition they should be, owing partially to lack of room for proper care and stowage.

The crowded condition of the present armory, which is, in my judgment, entirely too small, badly ventilated and inaccessible for the purpose for which it is used, precludes the possibility of a thorough inspection of all the State property stored therein, without much labor and expense.

If your Excellency desires a full and complete inspection of the

ordnance and ordnance stores, I respectfully ask for further time to complete it, until the damaged property be disposed of by sale or otherwise.

Awaiting further instructions,

I am, very respectfully,

Your obedient servant,

JOSIAH HOWELL,

Brigadier-General Fourth Brigade, N. G. C., and Inspector.

[Copy.]

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, September 20th, 1868. }

[*Special Order No. 50.*]

Brigadier-General J. Howell, commanding Fourth Brigade, N. G. C., is hereby appointed Inspector, to inspect and report the condition and proper disposition of clothing, arms, accoutrements, etc., belonging to the State, and at present lying in the State Armory; such inspection and report to be made in conformity with the United States army regulations.

By order of the Commander-in-Chief.

JAMES M. ALLEN,

Adjutant-General.

Official: WM. W. ELLIOT, Major and A. A. G.

GENERAL HEADQUARTERS, STATE OF CALIFORNIA, }
Adjutant-General's Office, Sacramento, January 30th, 1869. }

To His Excellency,

Gov. H. H. HAIGHT,

Commander-in-Chief, N. G. C.:

I have the honor to report that, in obedience to annexed special order number sixty, General Headquarters of California, of date December twenty-first, eighteen hundred and sixty-eight, I sold at public auction, at the City of Sacramento, January twelfth, eighteen hundred and sixty-nine, the following condemned and damaged property, to wit:

Two thousand four hundred and fifty-six uniform coats.

One thousand nine hundred and twenty-two uniform pants.

Two thousand eight hundred and seventy-two uniform hats and caps.

Ninety uniform blouses.

One hundred and seventy-eight assorted tents.

One lot camp kettles and stools.

One lot mess and bread pans.

One lot tin and wooden buckets.

One lot tin cups and plates.

One lot meat and fry pans.

One lot knives, forks, spoons, etc.

The gross receipts of said sale amounted to four thousand three hundred and forty-four dollars and eighty-two cents.

There has been paid out of this amount the sum of six hundred and twenty-seven dollars and seventy-five cents, as follows:

To W. T. Grissim, cash returned.....	\$356 00
To auctioneer, J. Davis, commission of 5 per cent	217 25
To, rent of auction room, labor, etc.....	54 50
Total.....	\$627 75

Leaving a balance to the credit of the State of three thousand seven hundred and seventeen dollars and seven cents, which amount has been duly paid into the State treasury.

The cash returned to W. T. Grissim was a reduction of two dollars each on the amount paid for the one hundred and seventy-eight assorted tents, the same being in accordance with instructions received from your Excellency.

Vouchers for the above disbursements are on file in this office.

I am, Governor,
Very respectfully,
Your obedient servant,

JAMES M. ALLEN,
Adjt., Ins. and Q. M. General of the State.

REPORT OF BRIGADIER-GENERAL JOHN HEWSTON, JR.

HEADQUARTERS SECOND BRIGADE, N. G. C., }
San Francisco, October 1st, 1869. }

GENERAL: I have the honor to submit the following report of the condition of this brigade on the ninth day of September, eighteen hundred and sixty-nine, as shown by the muster rolls of the various commands of this brigade, which shows an aggregate of twenty-seven companies and one thousand six hundred and eighty-seven men, the total organized militia in this brigade.

Four companies of my command, viz: The State Guard, Company A, of the First Infantry Regiment; California Tigers, Company H, of the First Infantry Regiment; Eureka Guard, Company —, of the Second Infantry Regiment; Excelsior Guard, Company —, of the Second Infantry Regiment; and Shields' Guard, Company B, of the First Infantry Battalion—have been this year disbanded by direction of the Commander-in-Chief, under the provisions of section twenty-two of the militia law. The California Tigers, Shields' Guard and Excelsior Guard were dishonorably disbanded for mutinous and disorderly conduct, in refusing to parade with the command on the fifth of July, at a place

designated by orders from Brigade Headquarters; and the State Guard and Eureka Guard for failing to meet the requirements of the law.

The following new companies have been formed within my territorial limits, and duly attached to my command, viz: Haight Light Cavalry, at San Francisco, and attached to the First Cavalry Battalion as Company D; Hewston Guard, at Petaluma, Sonoma County, unattached, and Hewston Rifles, at San Francisco, attached to the First Regiment Infantry, as Company H.

The various organizations now under my command are in a fair state of efficiency, and fully to be relied on in case of emergency. The prompt and decisive action of the Commander-in-Chief, in disbanding the companies above referred to, has had a most salutary effect, and has taught the State soldiery that they must conduct themselves as military men, on whom in time of need reliance can be placed, and not merely as make-believe and holiday soldiers—that when they receive an order from a duly constituted authority they must obey it, and not be influenced by their personal prejudices or by the intrigues or machinations of any particular man or party. To maintain an effective military organization discipline must be sustained; and the first point is obedience. If inferiors are permitted to question the orders of their superiors, there is at once an end to all efficiency, all order, all discipline. The idea of the commissioned officers of a regiment being called together by their regimental commander for the purpose of voting as to whether they will obey orders emanating from their Brigadier-General, appears ridiculous on its face, and no soldier could for a moment countenance such a proceeding; yet such would inevitably be the result if disobedience and mutiny were overlooked; and the consequence would be that the whole militia would dwindle into a farce, and disgrace both the officers holding commissions and the State which issued them.

For the past two years the majority of the companies of this brigade, in fact all but two, have been obliged to procure uniforms at their own expense, those furnished by the State having been expended and worn out. No steps were taken by the last Legislature to provide means for supplying new ones. Not a regiment or battalion has now the uniform prescribed by section — of the militia law, each company wearing the uniform its taste or inclination dictates. The State could furnish uniforms at very small cost by purchasing the material and having it made up at the tailoring department of the penitentiary. During the late war parties taking contracts for supplying clothing to the army in this State had all the sewing work done at the penitentiary, under the then existing system of farming out the labor of the inmates of that place. By adopting this plan the State could supply good clothing for the militia at the mere cost of the material, and be able to make ample provision for replacing expended uniforms.

No steps seem yet to have been taken by the State to procure for the National Guard the breach-loaders now in use in the regular service. I would suggest that application be made at an early date to the proper authorities to exchange our present arms for those adopted by the War Department.

The appropriation for Brigade Headquarters is not sufficient to defray the necessary expense of clerk hire, to say nothing of office rent, postage and stationery.

The proper performance of the clerical duties of Assistant Adjutant-General of this brigade requires almost the entire time of one person, which the present appropriation is wholly inadequate to secure. Some

provision must be made in this respect in order to obtain the prompt and efficient discharge of the official routine duty of the office and meet the required disbursements.

All of which is respectfully submitted.

I am, very truly,
Your obedient servant,

JOHN HEWSTON, JR.,
Brigadier-General Commanding Second Brigade, N. G. C.

To Brigadier-General JAMES M. ALLEN, Adjutant-General, Cal.

REPORT OF BRIGADIER-GENERAL JOSIAH HOWELL.

HEADQUARTERS FOURTH BRIGADE, N. G. C., }
Sacramento, December 3d, 1869. }

GENERAL: I have the honor to transmit herewith a consolidated return of this brigade for eighteen hundred and sixty-nine. It has been delayed beyond the time prescribed, in the hope that the counties and companies reported delinquent would comply with the law and send in the necessary returns and muster rolls, to enable me to make full and complete returns of the force of this brigade.

Statement of expenses of Sacramento Light Artillery exhibits the fact that the present appropriations for this arm of the service are wholly inadequate to support it in an efficient condition, and I respectfully recommend that a more liberal allowance be made to this, the only artillery company in the Fourth Brigade.

The spirit and efficiency of the companies generally would be greatly increased by instituting a system of competition drills, to be had annually, under direction of the Commander-in-Chief. A very small amount expended annually for prizes to the best companies, under sanction of law, would soon bring them all up to higher standard of excellence, and add greatly to the character and efficiency of every company of the National Guard. Annual encampments for instruction would perhaps be of much greater use in securing uniformity of drill, and a more thorough knowledge of the tactics, but they are open to the serious objection of burdensome expense. Perhaps the best argument in favor of a liberal and enlightened policy toward the National Guard is to be found in the present condition of this brigade as shown by the accompanying report.

I have the honor to be, General,
Very respectfully,
Your obedient servant,

JOSIAH HOWELL,
Brigadier-General Commanding Fourth Brigade, N. G. C.

General JAMES M. ALLEN, Adjutant-General, Cal.

SACRAMENTO LIGHT ARTILLERY COMPANY'S ANNUAL REPORT.

September 1st, 1868, to September 1st, 1869.

Received from the State.....	\$1,200 00
EXPENDITURES.	
Horses.....	\$416 50
Drayage.....	15 75
Printing and advertising.....	93 13
Gas.....	57 70
Rations.....	281 75
Oils, etc.....	22 75
Carpenter work and gas fitting.....	60 25
Armorer.....	351 25
Repairing uniforms.....	178 63
Cushions.....	31 50
Music.....	219 00
Repairing battery and harness.....	170 25
Stationery.....	23 00
Gloves, etc.....	41 23
Writing up roll book.....	15 00
Transportation on Sacramento Valley Railroad.....	50 00
Ammunition, solid shot, etc.....	131 65
Primers.....	125 00
Armory rent.....	300 00
Total.....	\$2,684 34

I certify that the above is a true and correct copy of the books of the company.

J. DAVIS, Captain,
 Commanding Sacramento Light Artillery, (unattached),
 Fourth Brigade, N. G. C.
 Sacramento, September 29th, 1869.

Respectfully transmitted to General Headquarters, N. G. C., this sixth day of October, eighteen hundred and sixty-nine.

By command of

JOSIAH HOWELL,
 Brigadier-General, Commanding Fourth Brigade, N. G. C.

W. A. ANDERSON, Major and A. A. General.

No reports received from Brigadier-Generals of First, Third, Fifth and Sixth Brigades.

BIENNIAL REPORT

OF THE

Board of State Harbor Commissioners

FOR THE

TWO YEARS ENDING NOVEMBER 3, 1869.

D. W. GELWICKS, STATE PRINTER.

REPORT.

To the Honorable H. H. HAIGHT,
Governor of the State of California :

The Board of State Harbor Commissioners have the honor to submit herewith their biennial report for the term ending November third, eighteen hundred and sixty-nine :

It was shown in the preceding report of this Board, submitted November third, eighteen hundred and sixty-seven, that the Commissioners had adopted a plan (a detailed description of which was therein given) for a sea-wall along the water front of the City and County of San Francisco; that a portion of the distance had been sectionized; that contracts had been entered into with Mr. A. H. Houston, for building the same on sections one and two, extending respectively along Front street, from the northerly line of Vallejo street to the northerly line of Union street, and along East street, from the south side of Pacific street to the south side of Washington street; and that work on the first section was then being vigorously prosecuted.

As stated in that report, the plan adopted embraced two distinct parts: one being the *embankment* or foundation of the wall; the other, the *superstructure*, consisting of concrete masonry, etc. The contracts with Mr. Houston for the construction of each were separate, and in order to first insure a thorough and permanent settlement of the embankment, the Commissioners reserved the right, in the contracts for building the superstructure, to designate the time, within certain limits, when its erection should begin.

On the twenty-sixth of March, eighteen hundred and sixty-eight, the embankment was completed on the first section, and immediately thereafter work was commenced on the second section, and was continued uninterruptedly to August twenty-seventh of the same year, when the embankment was completed on that section also.

In order that there might be no unnecessary interruption in the work, on the eighteenth of August the Commissioners advertised as required by law, soliciting sealed proposals for building a third section of embankment, extending seven hundred and twenty-nine and forty-three one-hundredths feet, along East street, from the south side of Washington street to the south side of Market street, which were

received and opened on the first day of September following. On the twenty-first of that month, the proposal of Mr. A. H. Houston being the only one before them, was accepted by the Board at its terms, viz: two hundred and nineteen dollars per lineal foot, and the contract awarded to him, which was executed on the twenty-ninth of the same month. Work was commenced on the last named section at an early day, and continuously prosecuted by Mr. Houston, and after his decease, by his successor in interest, to completion, which occurred on the twenty-fifth of May, eighteen hundred and sixty-nine.

Acting upon the policy hitherto pursued by them, to push this important work for the protection of the harbor as rapidly as the revenues of the water front would permit, the Commissioners, on the sixth of April preceding, ordered another advertisement, as prescribed by law, soliciting proposals for the construction of a fourth section of embankment extending along East street, five hundred feet southerly from the termination of the third section on the south side of Market street. On the twenty-first day of that month, the day specified in the advertisement, five bids had been received and were opened in the presence of the bidders. The prices ranged from one hundred and forty-five dollars to two hundred and forty dollars per lineal foot. Soon afterwards three bids were withdrawn, through the alleged inability of the bidders to procure the necessary apparatus to do the work, leaving for the consideration of the Board but two proposals—that of Messrs. De Vries & Chase, at two hundred and twenty-one dollars per foot for the distance named in the advertisement, and that of Mr. James P. Pierce, at two hundred and forty dollars per foot for one thousand one hundred and thirty feet, or six hundred and thirty feet more than was advertised for. Accompanying the bid of the last named gentleman was a proposition substantially as follows: "As previously stated, contracts were existing with Mr. A. H. Houston for the construction of the superstructure on sections one and two of the embankment, which amounted, in the aggregate, to one hundred and forty-six thousand two hundred and sixty-five dollars, and on which a considerable sum of money had already been expended in quarrying and cutting granite for the masonry work. Mr. Houston was dead and Mr. Pierce had become his successor in interest. In consideration of an award to him of a contract for building the embankment for the distance and at the price named in his bid, Mr. Pierce offered and agreed to make for himself, and to procure from the representatives of the estate of said Houston, for the Board, a full release from the above mentioned contracts and from all claims for damages arising thereunder, and to refund such payments as had been made on them, amounting to eighteen thousand four hundred and twenty-seven dollars and fifty cents."

An important question was here presented for the action of the Commissioners. The experience acquired during the progress of the sea-wall thus far had convinced them that the immediate construction of the superstructure would be an error, and that the best interests of the State demanded the present if not the permanent abandonment of that part of the plan. The embankment was the main part of the sea-wall, and accomplished all that could be accomplished for the protection of the harbor. *That* was a matter of first necessity, while the superstructure was not, if indeed it was a necessity at all. The latter was originally designed more as an appropriate finish to a great permanent improvement than as a work of practical utility, and it was discovered that it would necessarily be so obscured by wharves and planking that the design would be in a great measure defeated. The Board also did not

forget the fact that the erection of the superstructure upon the two first sections involved a kind of necessity to continue it along the entire water front, otherwise the uniformity of this important work would be destroyed. That would involve many hundreds of thousands of dollars. The cost of the superstructure contracted for to Mr. Houston, and offered to be released by Mr. Pierce, would very nearly build the additional six hundred and thirty feet of embankment not specified in the advertisement. The Commissioners had no doubt as to the course which true policy dictated to them to pursue, but could they under the law accept a bid for a longer distance than was advertised for, and for an apparent larger price than was offered by another bidder? Believing that the extension of distance and additional price contained in Mr. Pierce's bid was merely changing the place and mode of doing an amount of work already contracted for, and supported in this belief by an exhaustive opinion of their legal adviser, the Board, on May fifth, eighteen hundred and sixty-nine, awarded a contract to that gentleman upon the terms and conditions of his bid, and on the following day formally executed the same. Releases, in accordance with Mr. Pierce's agreement, have been duly made and remain on file in this office. Work under the last mentioned contract was commenced within a few days of its execution, has been steadily pursued and is now being prosecuted with the largest available force. It is probable that within five months from this date the section will be entirely completed.

The manner in which the work should be done, and the character of the materials used, were carefully guarded in all the above mentioned contracts, and ample and responsible bonds were exacted and given for their faithful performance.

The whole distance between Chestnut and Harrison streets, which is the limits of the sea-wall authorized by the statute, is eight thousand three hundred and thirty-seven feet. With the close of the present existing contract, there will be constructed a total length of embankment (which may now be designated as sea-wall), of three thousand two hundred and fifty-two feet, of which two thousand six hundred and two feet is a continuous line, reaching from the south side of Pacific street to a point fifty-two and one-half feet northerly from Howard street. The total amount thus far expended is five hundred and twenty-three thousand one hundred and seventy dollars and sixty-five cents, which will be increased, when all contracted payments are made, to about six hundred and eighty-one thousand dollars. The diagram of the water front between Chestnut and Harrison streets, hereto attached, and to which your attention is respectfully invited, exhibits clearly what has already been accomplished and what remains to be performed.

A prominent if not the paramount idea of the law establishing this Commission, was the construction, out of the revenues of the harbor, of a sea-wall or bulkhead along the water front of San Francisco, which would be an effectual barrier against any further encroachment of the land upon the water and the water upon the land. A grave responsibility was imposed upon the Commissioners in adopting a plan which should accomplish this object, and was at the same time financially feasible. The best engineering talent of the State was summoned to their assistance by the offer of a large competition premium. Among the numerous plans submitted to them, the one finally selected has been minutely described in a former report. More than two years has elapsed since its execution was commenced, and the Board have now the satisfaction of saying that, modified by an abandonment of so much of it as pertains

to superstructure, it has justified their most sanguine expectations, and in their judgment has proved a complete success. A wall of loose rock, impervious to the action of either air or water, made solid by constant settling and packing (for it is almost conclusive, from experiments, that the embankment forces itself vertically through the mud to solid earth), seventy-five feet wide at the bottom and of half that width at the top, protected from all inward pressure, at a depth of twenty feet below mean low tide, by a mass of earth reaching a mile or more beyond the line of the wall, is, in the opinion of the Board, as substantial a structure as is required. No portion of the wall thus far constructed has moved a hair from its original base, and seem as permanent a barrier against either inside or outside pressure as solid masonry would be. It has been prosecuted with all the revenues of the water front, except such necessary expenditures for expenses, dredging, repairs and construction of new wharves, as the wants of commerce imperatively demanded. With the completion of the last named contract, the money in the Harbor Protective Fund will be pretty nearly exhausted, and it is probable that the other exigencies of the water front will render a contract for another section impossible for at least a year.

The amount expended for dredging the slips in the possession of the Commissioners, for the period embraced in this report, has been thirty-two thousand three hundred and sixty dollars. A large amount of mud has, however, accumulated alongside the wharves, rendering access to some of them difficult, and during the coming year a large amount of dredging at various localities, estimated by the Board at not less than two hundred thousand cubic yards, will be required. An immediate necessity existing for deepening some of the slips, the Board, on the twenty-fourth day of September last, advertised for proposals for removing thirty thousand cubic yards, more or less, of mud, at such places as they might direct, and on the eighth day of last month accepted the bid of William H. Taylor, the only one presented for the same, at fifty cents per cubic yard. A contract therefor was duly signed on the twelfth day of October ultimo, and the work is now being done under the supervision of the Board.

In this connection the Board desire to call your attention to the prices which they have always been compelled to pay for this kind of work. The business in this harbor has hitherto been a practical monopoly. In all instances where any considerable amount of dredging has been required, the Board have solicited proposals therefor by public advertisement. The number of bidders has never exceeded two, has seldom been but one, and the minimum price has been fifty cents per cubic yard. From careful estimates of actual cost, by the engineer of the sea-wall, the Board are satisfied that the work can be done at a much smaller price, and yield a fair profit. Undoubtedly the true policy of the State, under all ordinary circumstances, is to open all public work to private competition. But in this instance there is really no competition, and duty requires her to protect herself against exorbitant rates. They therefore recommend that authority be conferred upon them by legislative enactment, to purchase or construct, as they may deem best, a dredging machine, together with steam tug, necessary scows and such other apparatus as may be required to perform their own dredging. If this authority be discretionary, it will probably have the effect to reduce prices to the basis of a fair profit; if it does not, the Board have no hesitation in saying that the State's ownership of a machine will more than pay its cost during the coming year.

During the past year the Commissioners have erected the following new wharf structures: Front street wharf, extending parallel with the sea-wall, from the northerly line of Vallejo street to the northerly line of Union street, and similar wharves on the eastern half of East street, extending from the south side of Pacific street wharf to the north side of Jackson street wharf, from the south side of Washington street wharf to the north side of Clay street wharf, and from the south side of Clay street wharf to the north side of Commercial street wharf. These structures conform to the general plan adopted for the line of the water front along the sea-wall. Their cost, together with the amount expended for rebuilding Market street and Washington street wharves, has swelled the construction account for the term of this report to the sum of seventy-three thousand three hundred and twenty-nine dollars and forty-nine cents. In each instance of construction, sealed proposals have been advertised for, as provided by the statute, and the contract let to the lowest bidder.

It is proper to mention here, that the Commissioners have deemed it of great importance to make some experiments with well known processes for the preservation of timber used in wharf structures. The piles in this harbor are attacked by the ship worm, known as the *teredo navalis*, and in from three to five years are so much injured as to become entirely worthless. Although this has long been known, it is only within the last year that any establishment for the protection of timber against worms and decay has been put in operation on the Pacific coast. Works during that time have been erected by two companies operating separate processes—the Pacific Wood Preserving Company, using the “Robbins” patent, and the North American Wood Preserving Company, using the “Samuels” patent. In the early part of August last, the Board awarded a contract to the former company for the preservation of the piles and a portion of the surface timber used in the wharf structures erected alongside of the sea-wall between Pacific and Commercial streets, and one also to the last named company, for a portion of the planking used in the same structures. The processes used by both these companies have the recommendations of eminent scientific and practical men, and should they accomplish what is claimed for them, will prove of vast importance to the interests of this port. It is believed that the Commissioners will be able, in their next biennial report, to communicate the result of their experiments.

The expenditures for urgent repairs on the various wharves under the control of the Board, since their last statement, have been forty-seven thousand two hundred and forty-one dollars and sixty-one cents (see annexed table), and have been governed by the most economical outlay.

The Legislature, during the session of eighteen hundred and sixty-seven and eighteen hundred and sixty-eight, imposed some new duties on this Board, which have been fully discharged, as herein detailed.

The Act approved March thirtieth, eighteen hundred and sixty-eight (Statute of 1867–8, pp. 625, 626, 627), authorized the Commissioners, when requested by the grantees, to appraise the value of certain lands therein described and granted by the State to Wm. Dunphy and others. In pursuance of this authority, the Board, on the first of May of that year, having made an examination of the premises, assessed the value of said land at one hundred and fifty dollars per acre, and immediately thereafter certified the valuation made by them to the State Treasurer and Surveyor-General.

A similar duty was imposed on them by the Act approved March twenty-eighth, eighteen hundred and sixty-eight (Statutes of 1867-8, pp. 422 and 423), to ascertain and appraise the value of certain lands granted by the State to the California Dry Dock Company. Accordingly, on the thirteenth of November of that year, the Board, after a careful consideration of the matter, appraised the value of the grant at two hundred dollars per acre. The amount of its total valuation, viz: four thousand four hundred and fourteen dollars, has been paid, as directed by the Act, into the State treasury, to the credit of the State Wharf and Dock Fund.

The Act entitled an Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream, approved March twenty-sixth, eighteen hundred and sixty-eight, devolved the further duty on the Board to establish the width of said creek from Franconia Landing to its outlet in the Bay. On the twenty-fifth of July of that year they discharged that duty, and officially established and declared the width of the channel of said creek, from the water front to the westerly line of Texas street, to be two hundred feet, and from the westerly line of Texas street to Franconia Landing, to be eighty feet. It is but proper to add that in determining the size of this future thoroughfare, the Board were mainly governed by the valuable suggestions of the Tide Land Commissioners.

By authority of the Act approved March twentieth, eighteen hundred and sixty-eight (Statutes of 1867-8, page 217), the Board, on the first of July of that year, rented of W. B. Johnston new office rooms, at four hundred and fourteen, Montgomery street, at a rental of one hundred and fifty dollars per month. These rooms are centrally located, commodious, have a vault attached, and are in every respect admirably adapted to the wants of the Commission. The agreement with Mr. Johnston is from month to month, to continue during the pleasure of the Board. They have also increased the clerical force of the office by the employment of an assistant secretary, at a compensation, fixed in the same Act, of one hundred and twenty-five dollars per month.

The Act approved March twenty-seventh, eighteen hundred and sixty-eight (Statutes of 1867-8, page 573), authorized the Board to lease for the period of fifteen years, to the Merchants' Dry Dock Company, at such place as they might select, so much of the water front as might be necessary for the proper working of their dock. On the twenty-fifth of June following, in pursuance of that authority, they executed a lease to that company for the period mentioned in the Act, at a monthly rental of seventy-five dollars, of a portion of the water front at the intersection of Bay and Kearny streets, shown by a diagram on file at this office.

Leases were also made by the Board on the first day of May, eighteen hundred and sixty-eight, to the California, Oregon and Mexico Steamship Company, for fifteen years, at an aggregate rental of one thousand three hundred and fifty dollars per month, of those portions of the water front at and near the intersection of East, Stuart and Folsom streets, described in the Act approved March twenty-seventh, eighteen hundred and sixty-eight (Statutes of 1867-8, pages 408, 409), authorizing said leases.

The provisions of the Act approved the same date (Statutes of 1867-8, pages 409, 410), directing the Board to change the terms of a certain lease heretofore made by the Commissioners to the Pacific Mail Steamship Company, were fully complied with by indenture with that company, executed on the twenty-sixth day of August, of the same year.

Other leases, copies of which are on file in this office, have been made by the Board since their last report, in the manner and for the term provided by law, as follows :

For a portion of the water front between the westerly line of Main street and the easterly line of Beal street, to A. H. Barker, for one hundred and fifty dollars per month.

For a portion of the water front at the intersection of the easterly line of Second street with the southerly line of Berry street, and a portion of Davis street, to the San Francisco and Oakland Railroad Company, for ferry uses. They have also renewed the ferry lease of the San Francisco and Alameda Ferry Company for the portion of Davis street heretofore occupied by them.

In all instances where leases have been made by the Board, the obligations of the lessees to the State have been secured by ample bonds. Each lease also contains a reservation of the right to construct a sea-wall along the leased premises, at the pleasure of the Commissioners, and provides that the lessees shall make their own repairs and perform their own dredging.

By the amendatory Act, approved March fifth, eighteen hundred and sixty-four (Statutes of 1863-4, pages 140, 141), the Board are directed to assign to ferry boats plying across the waters of the Bay of San Francisco, such slips on the water front, between Vallejo and Third streets, as may be necessary for their business, and to grant leases to their owners without rent or charge of any kind. It is believed no good reason can be assigned for this discrimination on the part of the State in favor of ferry owners. All other occupants of the water front pay either a stipulated rent or are charged uniform rates of dockage, wharfage and tolls. While the legal meaning of ferriage is simply the carrying of passengers, the real business of all ferry companies to which leases have been granted by the Board, under the above mentioned Act, is the transportation of freight as well, and can in nowise be distinguished from that of the California Steam Navigation Company, the California Pacific Railroad Company, or any other steamship companies engaged in carrying passengers and freight to and from this city. The bulk of the business of the Western Pacific Railroad passes over these ferries, and their exemption from rent is an unjust discrimination against rival routes. It is not thought that an equitable charge for rent will produce any enhancement of fares or freights, but if it did, no valid argument can be adduced why travellers and shippers by one route should be virtually charged for the privileges of the water front, and not upon another. The practical operation of the law is to give away important privileges for the private aggrandizement of a few individuals or corporations. The Board believe the policy a mistaken one, and one which does not obtain in any other State. In New York City ferry leases are sold to the highest bidder, and the prices paid for them range from one thousand dollars to nine thousand dollars per year. It must be borne in mind, also, that those ferries are engaged in the legitimate business of ferriage, to wit, the carrying of passengers and not of freight. The Commissioners respectfully recommend such a modification of the law as will place ferry owners on the same footing with other occupants of the water front.

The present occupancy of the water front may be briefly epitomized as follows: The Commissioners have possession of Vallejo street, Pacific

street, Jackson street, Washington street, Clay street, Commercial street, Market street, LaRue's, Mission street and Howard street wharves, from which they collect the revenue by their own employés. The portion held under written leases granted by them, have been fully detailed in this and former reports. All other occupied portions are held by private parties at agreed rents, from month to month, during the pleasure of the Board.

The net revenues for the past two years have not equalled the estimate in our last report, by about fifty-one thousand dollars. Several causes have operated to produce this deficit, prominent among which are the two following: The grain commerce of this port has hitherto constituted an important item in the receipts of the Commissioners' wharves. Within the last two years that business has been concentrated in comparatively few hands, and has been principally diverted to private structures and leased portions of the front. This change has produced considerable difference in the revenues.

The sea-wall also, which, as heretofore shown, has been actively prosecuted during the whole of the present term, has largely interrupted communication with the wharves crossed by it. It is estimated that this interruption has been equal to the loss of the receipts of one wharf for the entire two years.

These causes of reduced revenues will continue to exist, and it may be proper to observe, will be added to by the completion of the Pacific Railroad. All the overland freight carried by that route will necessarily diminish the amount of shipping entering this harbor, in a corresponding proportion, and to the same extent reduce the revenues of the port. The Commissioners therefore cannot safely estimate the net earnings for the ensuing term at more than fifteen thousand or sixteen thousand dollars per month, a large portion of which will have to be paid into the State Wharf and Dock Fund for construction and dredging purposes.

A copy of the rates of dockage, wharfage and tolls established by the Board for collection in this port will be found appended hereto. Unfavorable comment upon them has appeared from time to time in a portion of the public press, criticising them as excessive and injurious to the commerce of the harbor. This criticism is unjust and not warranted by the facts. In establishing a scale of port charges, the Commissioners were governed by a variety of considerations. The construction of a sea-wall or bulkhead between the limits prescribed by the Act of eighteen hundred and sixty-three, which placed the water front under the control of the Commissioners, seemed to them an early and imperative necessity. That necessity was recognized in the Act itself, and was evidently one of the main considerations governing the Legislature in passing it. The condition of the harbor at the time fully justified it. The wall could only be built out of such revenues, to be derived from the water front, as might remain after paying all expenses, making all needed improvements and repairs, and performing all necessary dredging. While the entire earnings, during the six years that have elapsed since this Commission was organized, have been within a small fraction of one million four hundred thousand dollars, the total amount paid into the Harbor Protection Fund, for sea-wall purposes, has been only six hundred and forty-six thousand seven hundred and seventy-three dollars and sixteen cents, or considerably less than one-half of the gross receipts. It will thus be seen that more than fifty per cent. of the gross revenues has been required for expenses and keeping the harbor in a suitable condition for the requirements of

commerce. It is apparent, then, that any material reduction of rates would render the construction of a sea-wall of remote, if not impossible accomplishment. When the protection of the harbor shall be assured by the completion of a bulkhead, it is believed the true policy of the State will be to reduce charges to a strictly expense paying point, and until that has been accomplished the Commissioners believe any material reduction would be ill-advised and impolitic.

But our port charges, taken as a whole, bear no such unfavorable comparison with those of other States as has been instituted. While it is true that our rates of dockage are largely in excess of those established in Boston, New York and some other Eastern harbors, our rates of wharfage and tolls are very materially less. The object of this discrimination was to impose the greater burden on the ship rather than on the shipper or consignee, and a sound reason existed for it, in the fact that the facilities afforded here are greatly superior to those furnished in most of the large ports of the United States. Any detention in obtaining a berth here is a thing of rare occurrence, while in the Port of New York, for instance, a delay of one to three weeks is the rule. Low rates are no compensation against these delays. Immediate and rapid facilities for discharging and reloading are of far more consequence to the ship owner than any existing difference in charges. By the present schedule of charges about one-half of the revenues are derived from dockage, and it is not believed any general complaint has ever been made by Eastern or foreign ship owners against this regulation.

In further vindication of the rates established by them, the Commissioners desire to call attention to the fact that our wharves are longer and generally more commodious for the landing of cargoes; and the rules adopted for their government are for more liberal than in most of the large ports of the United States. Our wharfage accommodations have been, to some extent, regulated by our unequalled climate, and during the greater part of the year the wharves perform the duty of warehouses as well as wharves. Under all the circumstances, the Board believe our port charges, as a whole, are regulated by a just discrimination, and are as small as they are warranted in making them.

Without doubt the most vexatious and annoying tax imposed upon shipping in this harbor is that levied by the Act approved March twenty-six, eighteen hundred and fifty-seven, creating the office of Harbor-master. The chief, and practically the only business of the office is to assign positions for shipping in the streams beyond the jurisdiction of the Harbor Commissioners, when not occupying slips on the front. For discharging this simple duty a tax is imposed of four cents per ton, which is paid into the treasury of the City and County of San Francisco. It would be difficult to explain why San Francisco should be any more entitled to enjoy the revenue derived from this source than to any other revenues of the water front. It is true that her jurisdiction extends to the centre of the channel of the bay; but that jurisdiction is confined to police regulations only, and a tax upon commerce should not be levied to sustain these regulations. It is reported that this tax has been declared unconstitutional by the Supreme Court of the United States; but whether this be true or not, the Board respectfully suggest that the tax should be discontinued, the office of Harbor-master abolished at the expiration of the newly elected incumbent's term, and the duties heretofore performed by that officer attached to this Commission, without any expense whatever to shipping.

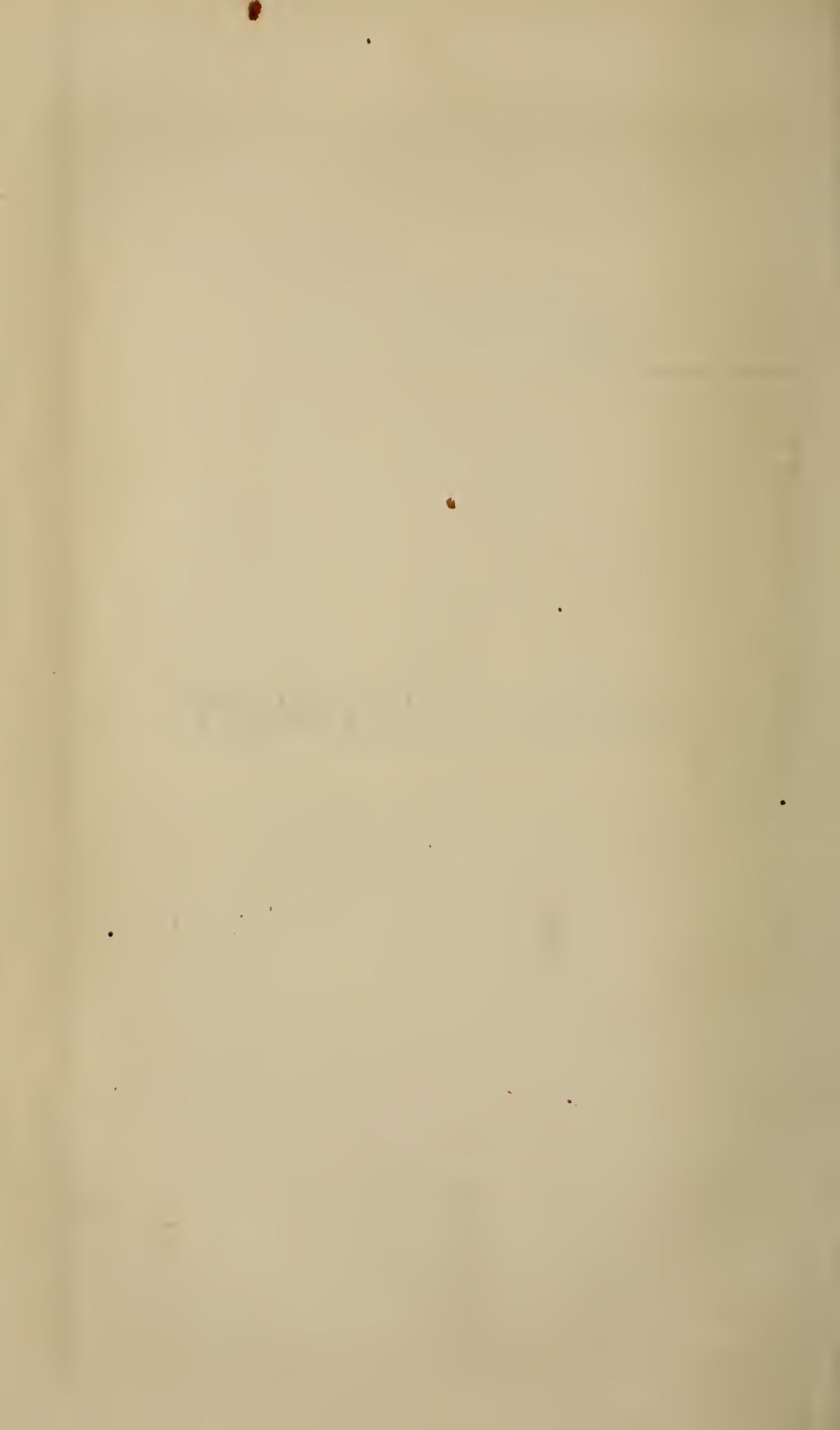
For information in regard to the litigation connected with this Commission, your attention is respectfully invited to the accompanying report of the Hon. Edward Tompkins, late counsel of the Board.

The annexed tabular statement is a full and complete exhibit of the financial transactions of the Board for the term just ended.

Respectfully submitted,

S. S. TILTON,
JAMES LAIDLEY,
JAMES H. CUTTER,
State Harbor Commissioners.

TABULAR STATEMENT.



R E C E I P T S

From November 3d, 1867, to November 3d, 1869.

Vallejo street wharf.....	\$64,969 01
Pacific street wharf.....	44,292 25
Jackson street wharf.....	20,924 15
Washington street wharf.....	15,698 93
Clay street wharf.....	27,559 20
Commercial street wharf.....	20,405 10
Market street wharf.....	37,720 00
La Rue's wharf.....	24,465 35
Mission street wharf.....	53,871 75
Howard street wharf.....	35,484 60
Folsom street wharf.....	42,000 00
East street (north of Market street).....	6,499 00
East street (Market to Folsom street).....	28,086 00
Spear and Bryant streets.....	10,833 50
Pacific Mail Steamship Company.....	32,000 00
Union Lumber Association.....	5,700 00
Main street wharf.....	3,800 00
Front street (portion of).....	3,360 00
Stewart street (portion of).....	2,903 62
Broadway wharf.....	48,000 00
Vallejo street (Davis to Front street).....	7,500 00
Battery and Greenwich streets (portion of)...	3,600 00
North Point wharf.....	12,960 00
Front street wharf.....	14,433 75
Second and Berry streets.....	1,500 00
Alameda Ferry Company.....	2,936 60
Merchants' Dry Dock Company.....	1,275 00
Montgomery and Francisco streets.....	600 00
Davis street (north of Pacific street).....	740 00
Channel street.....	780 00

SAN FRANCISCO HARBOR PROTECTION FUND.

Amount drawn by Commissioners, as per Orders Nos. 4 to 25, inclusive.....	516,667 90
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STATE WHARF AND DOCK FUND.

Amount drawn by Commissioners, as per Orders Nos. 30 to 53, inclusive.....	147,666 49
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OFFICE APPROPRIATION.

Amount received from sale of safes.....	300 00
Amount carried forward.....	\$1,239,532 20

RECEIPTS—Continued.

Amount brought forward	\$1,239,532 20
CALIFORNIA DRY DOCK COMPANY.	
Amount paid by them into State Wharf and Dock Fund, as provided in the Act approved March 28th, 1868.....	4,414 00
PACIFIC ROLLING MILL.	
Amount paid by them into State Wharf and Dock Fund, as provided in the Act approved March 28th, 1868.....	2,583 00
Total receipts.....	\$1,246,529 20



MAP
OF THE
WATER FRONT OF SAN FRANCISCO

THE SOUTH LINE OF CHESTNUT STREET
TO
THE NORTH LINE OF HARRISON STREET

PREPARED FOR
THE STATE HARBOR COMMISSIONERS

By
William J. Lewis, Engineer
Nov. 1st 1869

EXPLANATION.

The width of the streets forming the water front is uniform. The only
exception is at the foot of the hill, where the width is required to be built. The shaded
portion shows the new line contemplated.
Wherever written diagonally, show the depth of the water at low tide. The
depth is in fathoms. The numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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DISBURSEMENTS

From November 3d, 1867, to November 3d, 1869.

URGENT REPAIRS.	
Amount disbursed for repairs on various wharves, demanded by immediate necessity.....	\$47,241 61
CLEANING WHARVES.	
Amount paid—salaries of sweepers and hauling rubbish from wharves.....	13,776 40
DREDGING ACCOUNT.	
Amount paid for dredging, as per sundry contracts.....	73,359 00
EXPENSE ACCOUNT.	
Amount paid for rent of office, books and stationery, printing, advertising, etc.....	6,056 57
CURRENT EXPENSES OF WHARVES.	
Amount paid—salaries of wharfingers and collectors, and for moving shipping in certain cases.....	46,652 67
LEGAL COUNSEL.	
Amount paid—salary of counsel to Board.....	6,000 00
OFFICE APPROPRIATION.	
Amount paid for additional furniture.....	561 18
SALARY ACCOUNT.	
Amount paid—salaries of Commissioners and Secretaries...	25,175 00
LEGAL EXPENSES.	
Amount paid—expenses in connection with litigation.....	146 50
SEA-WALL ACCOUNT.	
Amount paid contractors and salary of engineer.....	523,170 65
Amount carried forward.....	\$742,139 58

DISBURSEMENTS—Continued.

Amount brought forward.....	\$742,139 58
CONSTRUCTION ACCOUNT.	
Amount paid for building new wharves.....	74,329 49
	\$816,469 07
HARBOR PROTECTION FUND.	
Amount remitted State Treasurer.....	308,725 61
STATE WHARF AND DOCK FUND.	
Amount remitted State Treasurer.....	121,334 52
	\$1,246,529 20

RATES OF DOCKAGE, WHARFAGE AND TOLLS FOR THE PORT OF SAN FRANCISCO,

Established by the Board of State Harbor Commissioners, December 1st, 1864.

DOCKAGE.

Vessels under 10 tons, per day.....	\$1 00
Vessels 10 tons and under 25 tons, per day	2 00
Vessels 25 tons and under 50 tons, per day	3 00
Vessels 50 tons and under 75 tons, per day	4 00
Vessels 75 tons and under 100 tons, per day	5 00
Vessels 100 tons and under 150 tons, per day	7 50
Vessels 150 tons and under 200 tons, per day	10 00
Vessels 200 tons and under 250 tons, per day	12 50
Vessels 250 tons and under 300 tons, per day	15 00
Vessels 300 tons and under 400 tons, per day	17 50
Vessels 400 tons and under 500 tons, per day	20 00
Vessels 500 tons and under 600 tons, per day	22 00
Vessels 600 tons and under 700 tons, per day	24 00
Vessels 700 tons and under 800 tons, per day	26 00
Vessels 800 tons and under 1,000 tons, per day	28 00
Vessels 1,000 tons and under 1,250 tons, per day	34 00
Vessels 1,250 tons and under 1,500 tons, per day	41 00
Vessels 1,500 tons and under 1,750 tons, per day	49 00
Vessels 1,750 tons and under 2,000 tons, per day	56 00
Vessels 2,000 tons and under 2,500 tons, per day	60 00
Vessels of 2,500 tons and over, in proportion.	

TOLLS.

Vehicles drawn by one animal.....	25 cents each
Vehicles drawn by two animals.....	50 cents each
Vehicles drawn by four animals.....	100 cents each
Cattle or horses for transportation	10 cents each
Sheep or hogs	3 cents each
Extra vehicle	25 cents each
Handcarts or wheelbarrows.....	10 cents each

RULES AND REGULATIONS.

Outside berths, including storeships or other vessels receiving or discharging cargo, half rates of dockage.

Dockage to commence upon a vessel making fast to the wharf, and to conclude when she hauls out—the days of hauling in and out to be counted as one day. No allowance to be made for Sundays, holidays, ballast days or rainy days.

Vessels shall rig in jib, flying-jib and spanker booms, when required

by the wharfinger, and shall also haul or change berths at their own expense, by his direction.

All goods landed upon the wharf and taken from thence in lighters or other conveyance (excepting such as shall be carried by the toll station, and there pay the foregoing rates of toll), shall pay twelve and a half cents per ton wharfage.

All goods landed upon the wharf from lighters shall pay twenty cents per ton wharfage.

All goods received or discharged by vessels (lying alongside of the wharf) from or into lighters, shall pay twelve and a half cents per ton wharfage.

No merchandise will be allowed to remain upon the wharf over night, without permission of the wharfinger, and then only at risk of the owner.

The following articles, when landed upon the wharf and remaining over forty-eight hours, and not exceeding one week, shall pay wharfage as follows :

Lumber, per thousand feet.....	25 cents
Bricks, per thousand.....	20 cents
Stone, coal, iron, cereals, vegetables, hay and general merchandise, per ton.....	20 cents
Wood, per cord	25 cents

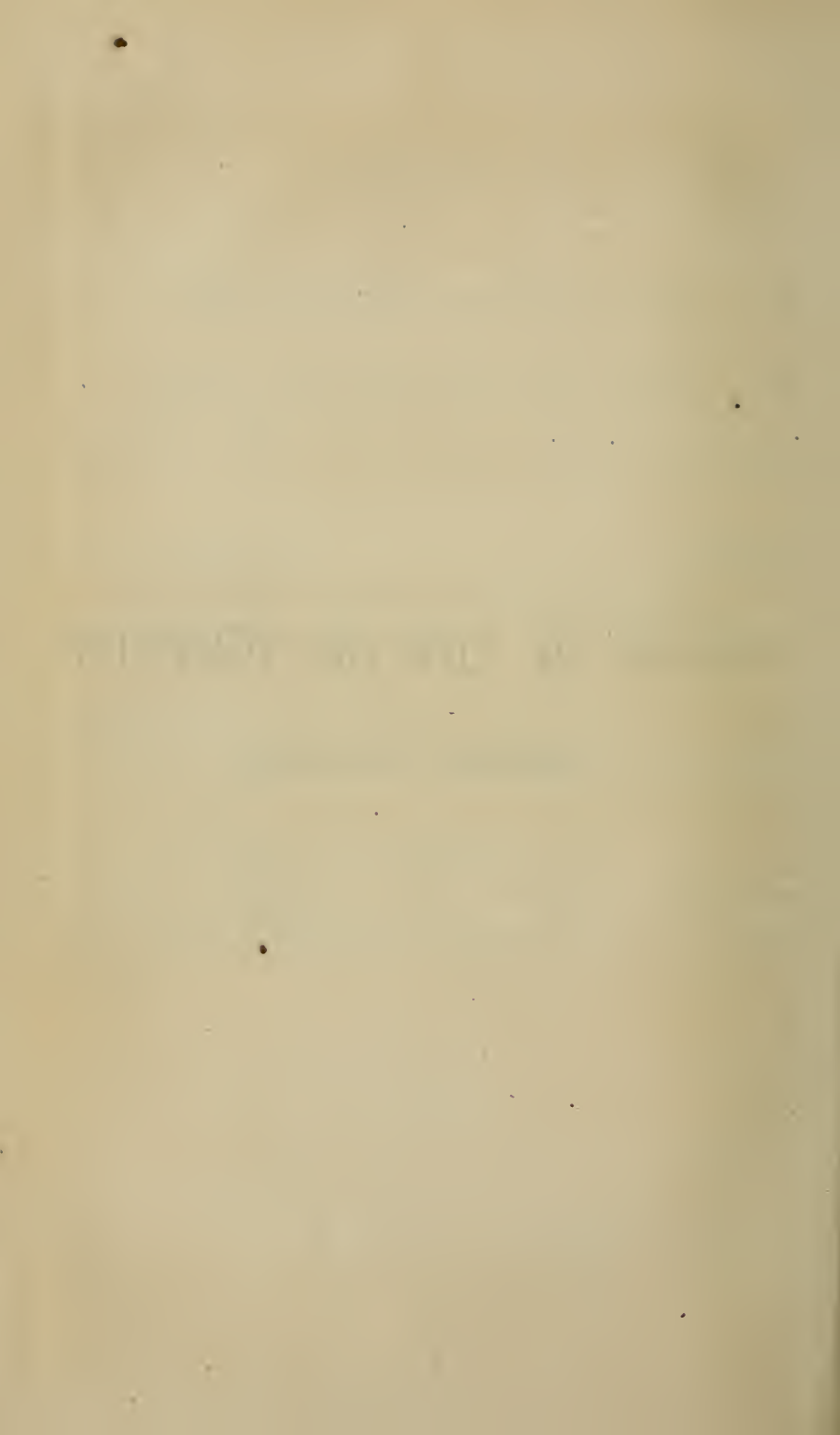
Hay, when landed on any wharf, and remaining thereon for a period not exceeding forty-eight hours, shall pay wharfage at the rate of twenty cents per ton, and the same rate for any additional twenty-four hours or fractional part thereof.

For every week or fractional part thereof, after the first week, an additional charge of above rates will be made.

All goods remaining on the wharf after the owner or consignee has been notified to remove the same, will be removed by the wharfinger at the expense of the owner.

Parties holding portions of the water front under lease from the Board of State Harbor Commissioners are obligated to charge and collect the above rates.

REPORT OF EDWARD TOMPKINS,
SPECIAL COUNSEL.



REPORT.

SAN FRANCISCO, September 30th, 1869.

TO THE BOARD OF STATE HARBOR COMMISSIONERS :

Since my last biennial report no new suits have been commenced, and none have been finally disposed of.

There remains in my hands only the following cases :

The People of the State of California vs. John G. Klumpke and others—This case is yet pending in the Supreme Court, upon the appeal of the defendants. It has once been affirmed, but upon the application of the defendants a rehearing has been granted, and it will probably be re-argued at the next term. No opinion was written on granting the rehearing, and I am unable to inform you upon what precise point the action of the Court was founded.

Same vs. Steamer Moses Taylor and Steamer America.—Two actions, identical in character, originally commenced and successfully prosecuted in the State Courts, and appealed by the defendants to the Supreme Court of the United States. They will probably be reached and argued next winter. As I have before advised you, I have placed the cases in the care of able counsel at Washington, who have, as yet, received no compensation for their services.

Adolph Weber vs. The Board of State Harbor Commissioners, and others.—This is an action in the Circuit Court of the United States, growing out of the improvement of the water front between Market and Commercial streets. It is probable that it will be reached and tried at the next term of that Court.

My resignation, to take effect October first, having been accepted by you, and my successor appointed, I shall, to-morrow, deliver to him all the papers in my hands pertaining to your business. Having been your counsel from the first organization of your Board, a period of about six years, and, as such, charged with the care of actions involving property of the value of several millions of dollars, I cannot close my last official report without thanking you for the uniform kindness and courtesy that

have made my employment so agreeable, and for the prudence and discretion on your part, that have so controlled your litigation that I have been enabled to succeed thus far in every case that you have placed in my hands.

I am, most respectfully, yours,

EDWARD TOMPKINS,
Special Counsel.

R E P O R T

OF THE

Board of Tide Land Commissioners

AND THE

S T A T E B O A R D,

FOR THE YEAR ENDING NOVEMBER 1, 1869.

D. W. GELWICKS, STATE PRINTER

REPORT.

OFFICE OF THE TIDE LAND COMMISSIONERS }
AND THE STATE BOARD, }
San Francisco, November 1st, 1869. }

To His Excellency,
H. H. HAIGHT,
Governor of California:

SIR: We have the honor herewith to submit the following report on the survey and disposal of certain salt marsh and tide lands belonging to the State of California, made in pursuance of an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight:

ORGANIZATION OF THE BOARD OF TIDE LAND COMMISSIONERS.

The Commissioners duly appointed and commissioned under and by virtue of the aforesaid Act, met in the City of San Francisco on the nineteenth day of June, eighteen hundred and sixty-eight, and regularly organized by choosing Benjamin F. Washington as President of the Board, and electing William S. Byrne as Secretary. At the same meeting, Ralph W. Norris was elected Surveyor, and George F. Allardt Assistant Surveyor.

RAILROAD NOTICES RECEIVED.

At the second regular meeting of the Commissioners, held on Wednesday, June twenty-second, eighteen hundred and sixty-eight, notices from the Southern Pacific and Western Pacific Railroad Companies, accepting certain grants or donations of land, consisting of thirty acres each, exclusive of streets, basins, public squares and docks, lying southerly from Channel street, and outside the "red line" of Mission Bay, in the City and County of San Francisco, for terminal purposes, in conformity with the fourth section of the Act afore mentioned, were received and ordered spread upon the minutes of the Board.

APPOINTMENT OF AUCTIONEERS.

At the same meeting, James Gauley and Thomas A. Talbert, of the firm of Gauley, Talbert & Johnston, were appointed auctioneers, to sell the salt marsh and tide lands belonging to the State of California, as provided for in the Act.

SALARIES OF THE SURVEYOR AND HIS ASSISTANTS.

At a meeting of the Commissioners, held July second, eighteen hundred and sixty-eight, the salaries of the employés on the tide land survey were fixed as follows, to wit :

Employés.	Per month.
Surveyor (up to July 1st, 1868)	\$500 00
First Assistant Engineer.....	400 00
Second Assistant Engineer.....	225 00
Third Assistant Engineer.....	200 00
Fourth Assistant Engineer.....	150 00
Captain of the boats.....	150 00
Register of tides.....	125 00
Keeper of time.....	100 00
Boat steerer.....	100 00
Measurers.....	100 00
Sonnder	90 00
Rodman and flagman.....	90 00
Oarsmen.....	90 00

ISLAIS CREEK CHANNEL.

At a meeting held on the twentieth of July, eighteen hundred and sixty-eight, the following resolution was unanimously adopted :

Resolved, That the Secretary of this Board address a communication to the Board of State Harbor Commissioners, requesting them to determine the width of the channel of Islais Creek, under an Act entitled an Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream, approved March twenty-sixth, eighteen hundred and sixty-eight, and ascertain from them in writing the action of said Harbor Commissioners under said Act, at their earliest convenience ; and we suggest to the Harbor Commissioners that they have said channel not less than two hundred feet wide from the water front to Texas street, and eighty feet from Texas street to Franconia Landing.

The following preamble and resolution, in regard to the foregoing, as certified to by the Secretary of the Board of State Harbor Commissioners, was adopted at a regular meeting of the last named Board, held on the twenty-eighth day of July, eighteen hundred and sixty-eight :

WHEREAS, The Board of Tide Land Commissioners has addressed a

communication to this Board, requesting it to announce its official action in the premises; therefore,

Resolved, That under and by authority of said Act of the Legislature, we, the Board of State Harbor Commissioners, do hereby officially establish and declare the width of the channel of said Islais Creek, from the water front to the westerly line of Texas street, to be two hundred feet, and from the westerly line of Texas street to Franconia Landing, to be eighty feet.

PUBLICATION OF NOTICE TO CLAIMANTS.

Notice to claimants under the fifth section of the Act having been given by publication in the principal San Francisco papers, on the eighteenth of November, eighteen hundred and sixty-eight, the following resolution was adopted by the Board of Tide Land Commissioners:

Resolved, That all parties claiming to have been in the bona fide actual possession, with substantial improvements, as described in section five of the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, of any lot or lots of said salt marsh and tide lands, and who desire to avail themselves of the rights and privileges awarded to settlers by said Act, are hereby required to present their claims and the grounds of them, in the form of depositions, duly verified before some officer having authority to administer oaths, accompanied with appropriate maps, within fifteen days from the eighteenth day of November, eighteen hundred and sixty-eight; and that the Secretary of this Board be required to give public notice of the passage of this resolution in three daily newspapers published in the City and County of San Francisco, for the period of fifteen days.

CLAIMS ALLOWED UNDER THE FIFTH SECTION.

The notice as provided for in the foregoing resolution was published in three San Francisco daily papers, and in response a number of depositions and affidavits, accompanied with appropriate maps, were submitted for the consideration of the Board.

The following is a list of persons and corporations preliminarily allowed by the Commissioners to purchase at appraised value, the appraisements being subject to the approval or disapproval of the State Board:

John F. Swift, J. W. Raymond, H. C. Hanson, Dietrick Dryer, Edmund C. Harford; Flint, Peabody & Co. (Barrel Factory), San Francisco Cordage Company (Tubbs & Co.), L. L. Treadwell, Alfred Barstow (Bridge Company), Griffin & Dwyer, Wright & Matthews, F. P. Sweet, Peter E. Farrell, John Beard, Siebe & Co., Patrick O'Donnell, George Oulton, James Christy, M. V. G. Mahon, Oliver Dale, R. T. Rundle, Lafayette Woodward, Henry J. Erwin, J. F. Penny, Michael Walsh, Ferdinand Rees, Edward Winslow, W. H. Ladd, O. W. Hermann, F. G. Truett *et als.*, J. C. Piercey, C. H. Mead, Rodmond Gibbons, Hazard Powder Company, John G. North, Potrero and Bay View Railroad Company, A. W. Von Schmidt, Vitus Waackenrender, Patrick Tiernan, Oliver Eldridge *et als.*, Pacific Rolling Mill Company, John C. Bower, John Wieland; Owens, Tyler & Co., Edward Reed, Hans Reed and Vincent Bellman.

RESIGNATION OF THE SURVEYOR.

On the thirtieth of November, eighteen hundred and sixty-eight, the resignation of Ralph W. Norris, as Surveyor, was accepted by the Commissioners, to take effect the same day, G. F. Allardt, First Assistant, taking charge of the survey.

The preliminary survey and map having been completed, the Commissioners, in conjunction with the Governor of the State, Mayor of San Francisco and the President of the Chamber of Commerce of San Francisco, who are known and designated in the Act as the "State Board," met on the nineteenth day of March, eighteen hundred and sixty-nine, and by a unanimous vote adopted the following resolution :

THE WATER LINE FRONT.

Resolved, That the water line front of the City and County of San Francisco be declared and is hereby established as follows, viz :

Beginning at the intersection of the southwesterly line of Second street with the water front line, described in the first section of the Act entitled an Act to provide for the disposition of certain property of the State of California, passed March twenty-sixth, eighteen hundred and fifty-one; thence southeasterly along the southwesterly line of Second street, extended, seven hundred and forty-five feet, more or less, to its intersection with the easterly line of Hooper street, if extended; thence southerly in a direct course towards the intersection of the westerly line of Louisiana street, if extended, with the northerly line of Alameda street, if extended, two thousand eight hundred and forty-seven feet, more or less; thence curving to the left, with a curve of forty feet radius, sixty-one and sixty-seven one-hundredths feet, to a point in the northerly line of Alameda street, if extended; thence curving to the right, with a curve of forty feet radius, sixty-two and eighty-three one-hundredths feet, to a point in the easterly line of Louisiana street, if extended, and forty feet southerly from the northerly line of Alameda street, if extended; thence southerly and parallel to Louisiana street seven hundred and fifty-two feet; thence curving to the left, with a curve of forty feet radius, two hundred and nineteen and ninety-one one-hundredths feet, to a point in the northerly line of Centre street, if extended; thence curving to the right, with a curve of one hundred and forty-feet radius, two hundred and nineteen and ninety-one one-hundredths feet, to a point in the easterly line of Maryland street, if extended, and sixty feet southerly from the southerly line of Centre street, if extended; thence southerly and parallel to Louisiana street six hundred and sixty-six feet; thence curving to the left, with a curve of one hundred and forty feet radius, two hundred and nineteen and ninety-one one-hundredths feet, to a point in the northerly line of Mariposa street, if extended; thence curving to the right, with a curve of one hundred and forty feet radius, two hundred and nineteen and ninety-one one-hundredths feet, to a point in the easterly line of Delaware street, if extended, and one hundred and forty feet southerly from the northerly line of Mariposa street, if extended; thence southerly and parallel to Louisiana street three hundred and ninety-two feet to the southerly line of Solano street, if extended; thence southeasterly in a straight line to a point in the westerly line of Massachusetts street, if extended, and eighty-four feet northerly from the northerly line of Butte street, if extended; thence

southerly along the westerly line of Massachusetts street, if extended, to the northerly line of Shasta street, if extended; thence southeasterly in a straight line to a point in the southerly line of Sierra street, if extended, and one hundred and fifty feet easterly from the westerly line of Massachusetts street, if extended; thence southerly and parallel to Massachusetts street, to a point one hundred and sixty-six feet southerly from the southerly line of Nevada street, if extended; thence curving to the left, with a curve of one hundred and fifty feet radius, two hundred and thirty-five and sixty-two one-hundredths feet, to a point; thence curving to the right, with a curve of one hundred and fifty feet radius, two hundred and thirty-five and sixty-two one-hundredths feet, to a point in the southerly line of Sonoma street, if extended, and four hundred and fifty feet easterly from the westerly line of Massachusetts street, if extended; thence southerly and parallel to Massachusetts street seven hundred and eighty-two feet; thence curving to the left, with a curve of one hundred and fifty feet radius, two hundred and thirty-five and sixty-two one-hundredths feet, to a point in the southerly line of Yuba street, if extended, and six hundred feet easterly from the westerly line of Massachusetts street, if extended; thence easterly along the southerly line of Yuba street, if extended, five hundred and forty feet; thence curving to the right, with a curve of one hundred and fifty feet radius, two hundred and thirty-five and sixty-two one-hundredths feet, to a point one hundred and fifty feet southerly from the southerly line of Yuba street, if extended, and one thousand two hundred and ninety feet easterly from the westerly line of Massachusetts street, if extended; thence southerly and parallel to Massachusetts street one thousand four hundred and forty feet, to a point in the southerly line of Islais Creek Channel, as extended to the water line front, in accordance with the Act entitled an Act declaring Islais Creek, in the City and County of San Francisco, a navigable stream, approved March twenty-sixth, eighteen hundred and sixty-eight; thence southeasterly in a straight line seven thousand five hundred and fifty feet, more or less, to the northerly extremity of the curve described in the Act entitled an Act granting certain rights and water privileges to the California Dry Dock Company, approved March twenty-eighth, eighteen hundred and sixty-eight. Also, beginning at a point in the northerly line of Fifth avenue, if extended, said point being five hundred and forty-six and seventy one-hundredths feet northwesterly from the southerly extremity of the last named curve; thence southwesterly and parallel to A street to a point three hundred feet northeasterly from the southerly line of Tenth avenue, if extended, and one thousand four hundred and fourteen feet southeasterly from the easterly line of A street; thence curving to the left, with a curve of one hundred and fifty feet radius, two hundred and thirty-five and sixty-two one-hundredths feet, to a point one hundred and fifty feet northeasterly from the southerly line of Tenth avenue, if extended, and one thousand five hundred and sixty-four feet southeasterly from the easterly line of A street; thence southeasterly and parallel to Tenth avenue, three hundred and sixty-four feet; thence curving to the right, with a curve of one hundred and fifty feet radius, one hundred and seventy-four and twenty-two one-hundredths feet, to a point; thence southwesterly in a straight line four thousand nine hundred feet, more or less, to the intersection of the southerly line of Twenty-sixth avenue, if extended, with the southern boundary line of the City and County of San Francisco, as extended into the Bay of San Francisco

TULARE STREET.

Resolved, That Tulare street be declared and established sixty-six feet in width, and be extended easterly to the water line front, and southerly along the northerly side of said Islais Creek channel to the westerly line of Texas street, if extended; thence southerly, with a width of sixty-six feet, to the said Islais Creek channel, where the same is eighty feet in width; thence westerly, with a width of twenty-six feet, alongside said channel to Arkansas street, if extended.

ISLAIS STREET.

Resolved, That a street be declared and established along the south side of said Islais Creek channel, extending from the water line front to Arkansas street, if extended, and of the same width and extent as said Tulare street, and to be known as Islais street.

FIRST AVENUE.

Resolved, That so much of First avenue as is embraced between I street and Islais street be declared and established one hundred and fifty feet in width.

CHINA BASIN.

Resolved, That the following described area of tide lands be dedicated to and reserved for docks, piers, slips, basins and other purposes of commerce, viz: Beginning on the water line front, on the southwesterly line of Second street, distant one hundred and fifty feet southeasterly of the northerly line of Berry street; thence southwesterly and parallel to Berry street seven hundred and fifty-eight and fifty one-hundredths feet; thence southeasterly at right angles to a point in a line parallel to and one hundred and fifty feet easterly from the westerly line of Kentucky street, if extended; thence southerly and parallel to Kentucky street to a point in a line parallel to and one hundred and fifty feet northeasterly of the southwesterly line of Fourth street, if extended; thence southeasterly and parallel to Fourth street to the water line front; thence northerly and westerly along the water line front to the point of beginning, containing forty-nine and fifty-six one-hundredths acres, more or less. Said area shall be known as the China Basin.

CENTRAL BASIN.

Resolved, That the following described area of tide lands be dedicated to and reserved for docks, piers, slips, basins, and other purposes of commerce, viz: Beginning at a point one hundred and fifty feet southerly from the northerly line of El Dorado street, if extended, and one hundred and fifty feet easterly from the westerly line of Illinois street, if extended; thence southerly and parallel to Illinois street three hundred and ninety-six feet; thence easterly at right angles four hundred and ten feet; thence southerly at right angles four hundred feet; thence westerly at right angles four hundred and ten feet; thence southerly and parallel to Illinois street eight hundred and forty-eight feet; thence easterly at right angles, to the water line front; thence northerly and westerly along the water line front to a point one hundred and fifty feet southerly from the northerly line of El Dorado street, if extended;

thence westerly and parallel to El Dorado street, to the point of beginning, containing thirty-four and five one-hundredths acres; *provided*, that the northerly and southerly boundary line of said area be joined tangentially with the water line front by curves of one hundred and fifty feet radius. Said area shall be known as the Central Basin.

INDIA BASIN.

Resolved, That the following described area of tide lands be dedicated to and reserved for docks, piers, slips, basins and other purposes of commerce, viz: Beginning at the intersection of the northerly line of First avenue, as this day established, with the easterly line of I street, if extended; thence southerly and parallel to Massachusetts street to the northerly line of Fourth avenue, if extended; thence southeasterly along the northerly line of Fourth avenue, if extended, five hundred and ten feet; thence easterly and parallel to Tulare street to the water line front; thence northwesterly along the water line front to a point where a line passing through said point of beginning, and parallel to Tulare street, intersects the water line front; thence westerly along the last described line (being at right angles to Massachusetts street, if extended), to the point of beginning, containing seventy-seven and sixty-eight one-hundredths acres, more or less; *provided*, that the northerly and southerly boundary line of said area be joined tangentially with the water line front with curves of one hundred and fifty feet radius. Said area shall be known as the India Basin.

DRY DOCK BASIN.

Resolved, That the following described area of tide lands be dedicated to and reserved for docks, piers, slips, basins and other purposes of commerce, viz: Beginning at the intersection of the northerly line of Third avenue, if extended, with the westerly boundary line of the tide lands granted to the California Dry Dock Company; thence northwesterly along said northerly line of Third avenue, five hundred feet; thence northeasterly at right angles, to the water line front; thence southeasterly along the water line front, to the northerly extremity of the curve described in the Act entitled an Act granting certain rights and water privileges to the California Dry Dock Company, approved March twenty-eighth, eighteen hundred and sixty-eight; thence southwesterly along said westerly boundary line (and at right angles to Third avenue, if extended), to the point of beginning, containing eight and seven one-hundredths acres, more or less; *provided*, that the northwesterly boundary line of said area be joined tangentially with the water line front by a curve of one hundred and fifty feet radius. Said area shall be known as the Dry Dock Basin.

SOUTH BASIN.

Resolved, That the following described area of tide lands be dedicated to and reserved for docks, piers, slips, basins and other purposes of commerce, viz: Being the area bounded on the north by the southerly line of Nineteenth avenue, if extended; on the south by the northerly line of Twenty-fourth avenue, if extended; on the east by the water line

front, and on the west by the easterly line of Dock street, if extended, and that the said northerly and southerly boundary lines be joined tangentially with the water line front by curves of one hundred and fifty feet radius, containing sixty-four and eighty one-hundredth acres, more or less. Said area shall be known as the South Basin.

OPEN CANAL.

Resolved, That the following described area of tide lands be dedicated to and reserved for an open canal for the purpose of navigation and drainage, viz: Being the area bounded on the north by the southerly line of Twenty-third avenue, if extended; on the south by the northerly line of Twenty-fourth avenue, if extended; on the east by the westerly line of South Basin, and on the west by the shore line of San Francisco Bay; and that said northerly boundary line be joined tangentially with the west line of South Basin by a curve of eighty feet radius, containing twenty-eight and ninety-three one-hundredths acres, more or less; also, that the portion of said canal lying westerly of E street be reserved for the purpose of drainage only.

WATER FRONT STREET.

Resolved, That a street be declared and established along and inside the entire water line front, excepting where said water line front is intercepted by China Basin, part of Louisiana street, Central Basin, tide lands grand to Alvord and associates, Islais Creek channel, India Basin, Dry Dock Basin and South Basin. Said street shall be one hundred and fifty feet in width and shall be known as Water Front street.

EXTENSION AND ESTABLISHMENT OF OTHER STREETS.

Resolved, That Kentucky street be extended northerly to Channel street and be declared one hundred and fifty feet in width in front of China street.

That Fourth street be extended southeasterly to the water line front, and be declared one hundred and fifty feet in width in front of China street.

That Fifth street be extended southeasterly to Central Basin.

That Sixth street be extended southeasterly to Tennessee street.

That Seventh street be extended southeasterly to Santa Clara street.

That Hooper, Irwin, Hubbell and South streets be extended northeasterly to Kentucky street.

That Tennessee, Minnesota, Indiana and Iowa streets be extended northerly to South street, excepting the area intercepted by the the "red line" of Mission Bay.

That Pennsylvania avenue and Mississippi, Texas, Missouri, Connecticut, Arkansas, Wisconsin and Carolina streets be extended northerly to said "red line."

That De Haro, Rhode Island, Kansas, Vermont, Nebraska and Utah streets and Potrero avenue be extended northerly to Channel street.

That Illinois, Michigan, Georgia and Louisiana streets be extended northerly to Central Basin and to Fourth street, and Maryland and Delaware streets be extended northerly to Central Basin.

That Napa, Butte, Solano, El Dorado and Alameda streets be extended

easterly to the water line front, excepting the area intercepted by said "red line."

That Mariposa, Santa Clara and Centre streets be extended easterly to Central Basin.

That Illinois street, El Dorado street and Solano street be increased to a width of one hundred and fifty feet in front of Central Basin.

That Louisiana street, between Central Basin and China Basin, be increased to a width of one hundred and fifty feet.

That a street be declared and established parallel to Alameda street, and three hundred and sixty feet northerly therefrom, extending from Tennessee street easterly to Fourth Street, to be sixty-six feet in width, and to be known as Merrimac street.

That a street be declared and established midway between Fourth and Fifth streets, extending from Channel street to South street, to be sixty feet in width, and to be known as Hudson street.

That the street running from Hooper street to Hubbell street, parallel to and between Fifth street and Sixth street, be named Neptune street, and be declared one hundred feet in width.

That the street running from Hubbell street to South street, parallel to and between Fifth street and Sixth street, be named Farragut street, and be declared one hundred feet in width.

Resolved, That a street be declared and established along and inside the northern, southern, southwestern and western boundary line of India Basin, to be one hundred and fifty feet in width, and to be known as India street.

Resolved, That a street be declared and established along and inside the northwesterly boundary line of Dry Dock Basin, to be one hundred and fifty feet in width, and to be known as China street.

Resolved, That the system of streets and blocks adopted on the Potrero Nevero survey, made by William J. Lewis, in eighteen hundred and fifty-six, a map of which is on file in the Recorder's office of the City and County of San Francisco, be and hereby is extended southerly to First avenue and India street, and easterly to Water Line Front street.

Resolved, That the system of streets and blocks adopted on the property of the South San Francisco Homestead and Railroad Association, as shown on the map of said association, on file in the Recorder's office of the City and County of San Francisco, be and hereby is extended northerly to India and Water Front streets, easterly to Water Front street, and southerly to the southern boundary line of the City and County of San Francisco. Also, that said system be extended over the triangular area bounded on the east by Kentucky street and Railroad avenue, on the north by Islais street, and on the south and west by the shore of San Francisco Bay and Islais Creek.

SUBDIVISION INTO BLOCKS AND LOTS.

Resolved, That all fractional blocks resulting from the extension of said system of streets, the area of which fractional block is less than half the area of a fifty vara lot, be thrown into the adjacent streets and constitute a part of such streets.

Resolved, That all blocks be divided as near as may be into rectangular lots of fifty feet front and one hundred depth, and that no fractional or rectangular lot shall contain more than six thousand two hundred and sixty-one and one-sixth square feet of area.

Resolved, That the streets parallel to and easterly of Massachusetts street

be named consecutively New York, Virginia, Ohio, Wyoming, Dacotah, Idaho, Arizona, Colorado, Mexico and Alaska streets; that the streets parallel to and southerly of Islais street be named consecutively Amador, Calaveras, Mendocino, Plumas and Fresno streets; that the streets parallel to and southeasterly of Dock street be named consecutively Tevis, Von Schmidt and Pollock streets, and that the street northeasterly of and parallel to First avenue be named Front avenue.

RESOLUTION FOR MARKET PLACES.

Resolved, That the following described blocks be dedicated to and reserved for market places or other public uses, viz :

First—The block bounded by Channel, Fifth, Hooper and Hudson streets.

Second—The block bounded by Hooper, Fifth, Irwin and Hudson streets.

Third—The block bounded by Massachusetts, Mendocino, Delaware and Calaveras streets.

Fourth—The block bounded by Massachuseetts street, First avenue, Delaware and Mendocino streets.

Fifth—The block bounded by Ship street, Twenty-first avenue, Dock street and Twenty-second avenue.

Sixth—The block bounded by Ship street, Twenty-second avenue, Dock street and Twenty-third avenue.

Seventh—The block bounded by C street, Twenty-eighth avenue, B street and Twenty-ninth avenue.

Eighth—The block bounded by C street, Twenty-ninth avenue, B street and Thirtieth avenue.

Resolved, That the following described block be dedicated to and reserved for a Produce Exchange or other public uses, viz : Block bounded by Minnesota, El Dorado, Tennessee and Alameda streets.

Resolved, That any resolution heretofore passed by this Board that may conflict or be inconsistent with the provisions of the foregoing resolution be and the same is hereby rescinded.

OFFICIAL MAP.

Resolved, That the map made in conformity with the provisions of the foregoing resolutions be and the same is hereby adopted as the official map, contemplated and described in section four of the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, and that said map be duly authenticated by the inscription upon its face of the following certificates, signed by the members of the Board of Tide Land Commissioners and the Secretary, and also by the Surveyor, respectively :

OFFICE OF THE TIDE LAND COMMISSIONERS, }
San Francisco, California. }

We hereby certify that this is the map of the salt marsh and tide lands, and lands lying under water, situate in the City and County of San Francisco, south of Second street, as prepared by the Board of Tide

Land Commissioners under the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight.

In witness whereof, we have hereunto set our hands this nineteenth day of March, A. D. eighteen hundred and sixty-nine.

_____,
_____,
_____,

Board of Tide Land Commissioners.

_____, Secretary.

I hereby certify that this map is drawn in accordance with the field notes of the tide land survey on file in the office of the Tide Land Commissioners.

_____, Surveyor.

San Francisco, Cal., March 19th, 1869.

At a meeting of the State Board held on the same day, the action of the Commissioners was unanimously approved, and the following additional certificate, signed by the several members of the State Board, was inscribed upon the said map, viz :

OFFICE OF THE STATE BOARD, }
San Francisco, California. }

We hereby certify that this map correctly exhibits the water line front of the City and County of San Francisco, together with the reservations for streets, docks, piers, slips, canals, basins, and other use necessary for the public convenience and the purposes of commerce, as established and adopted by the State Board under the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight.

At the same meeting it was unanimously ordered that G. F. Allardt be declared Surveyor and Chief Engineer of the tide land survey.

RESIGNATION AND APPOINTMENT.

At a regular meeting of the Commissioners, held April twenty-ninth, eighteen hundred and sixty-nine, the resignation of James Gauley, as one of the auctioneers appointed by the Board, was accepted, and Samuel T. Leet, of the firm of Talbert & Leet, was appointed in his stead.

SALE OF TIDE LANDS ORDERED.

At the same meeting it was ordered that the tide lands bounded on the north by the open canal, on the south by the southern boundary line of the City and County of San Francisco, on the east by the water line front, and on the west by the property of the Bay View Homestead Association, be offered for sale at public auction, subject to the provisions of the Act and the rules and regulations of the State Board, and that the same be advertised as prescribed by law.

APPROVAL OF THE TWO THIRTY-ACRE TRACTS DONATED TO THE RAILROAD COMPANIES.

At a regular meeting of the State Board, held on May twenty-eighth, eighteen hundred and sixty-nine, the following amended location of two thirty-acre tracts of tide lands to the Southern Pacific and Western Pacific Railroad Companies, located jointly by said companies for terminal purposes, under and by virtue of the provisions of the fourth section of the Act, was unanimously approved in manner and form by the Governor, Mayor of the City and County of San Francisco, and the President of the Chamber of Commerce of San Francisco, to wit:

Being all of blocks numbered forty-three, forty-four, forty-five, forty-seven and forty-eight; lots numbered one, two, three, four, five, six, seven, eight, nine, thirteen, sixteen, seventeen and eighteen, in block number forty-nine; lots numbered one, two, three, four, five, six, seven, eight, nine, ten, eleven, fourteen, fifteen, sixteen, seventeen and eighteen, in block numbered fifty; lots numbered one, two, three, four, five, six, seven, eight, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, seventeen and eighteen, in block numbered fifty-one; lots numbered one, two, three, four, five, six, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen and eighteen, in block numbered fifty-two; all of blocks numbered fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine and sixty; lots numbered one, two, three, four, five, six, seven and eight, in block numbered thirty-five; all of blocks numbered three hundred and fourteen, three hundred and forty-three, three hundred and forty-five, three hundred and forty-seven, three hundred and forty-eight and three hundred and forty-nine; lots numbered one, two, three, four, five, six, seven and eight, in block numbered three hundred and forty-nine and a half; all of block numbered three hundred and fifty, part of block numbered three hundred and fifty-one, and bounded as follows, viz: Beginning at the southeast corner of Santa Clara and Indiana streets; thence southerly along the easterly line of Indiana street, one hundred and ninety-three feet and four and a half inches; thence south, eighty-seven degrees and forty-five minutes east, eighty feet; thence north, fifty-four degrees and fifteen minutes east, one hundred and forty-one feet and one inch, to the westerly line of Minnesota street; thence northerly along the westerly line of Minnesota street, one hundred and twenty-nine feet and seven inches, to the southerly line of Santa Clara street; thence westerly along the southerly line of Santa Clara street, two hundred feet, to the place of beginning. Part of block numbered three hundred and seventy-nine, and bounded as follows: Beginning at the northeast corner of Santa Clara and Minnesota streets; thence easterly along the northerly line of Santa Clara street, one hundred and twenty-two feet one and a half inches; thence north, thirty-six degrees and fifteen minutes east, thirty-three feet and three and half inches; thence north, five degrees and thirty minutes east, one hundred and sixty-five feet, more or less, to the southerly line of Sixth street; thence northerly along the southwesterly line of Sixth street to the easterly line of Minnesota street; thence southerly along said easterly line to the place of beginning; lots numbered three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen, in the block numbered three hundred and eighty; all of blocks numbered three hundred and eighty-two, three hundred and eighty-three, three hundred and eighty-four and three hundred and eighty-five; lots numbered one, two, three, five,

six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, and sixteen, in block numbered four hundred and twelve; all of block numbered four hundred and thirteen; part of block numbered four hundred and fourteen and bounded as follows, viz: Beginning at the northeast corner of Kentucky and Mariposa streets; thence easterly along the northerly line of Mariposa street, two hundred feet; thence northerly along the westerly line of Illinois street, two hundred and fifty feet; thence westerly at right angles, one hundred feet; thence northerly at right angles, fifty feet; thence westerly at right angles, eight-five feet eight inches; thence south, four degrees and forty-five minutes west, sixteen feet and nine inches; thence south, twenty-four degrees and forty-five minutes west, twenty-four feet, to the easterly line of Kentucky street, two hundred and sixty-two feet six and a half inches, to the place of beginning; part of block numbered four hundred and fifteen and bounded as follows, viz: Beginning at the northwest corner of Santa Clara and Illinois streets; thence northerly along the westerly line of Illinois street, one hundred and thirty-nine feet seven inches; thence south, seventy-two degrees and thirty minutes west, sixty-five feet seven inches; thence south, forty-eight degrees west, forty feet ten and a half inches; thence easterly and parallel to Santa Clara street, forty-six feet two inches; thence southerly, at right angles, one hundred feet, to the northerly line of Santa Clara street; thence easterly, fifty feet, to the point of beginning; part of block numbered four hundred and fifteen, and bounded as follows, viz: Beginning at a point on the easterly line of Kentucky street, distant one hundred and twenty-two feet southerly from the southerly line of Centre street; thence south, sixty-eight degrees and fifteen minutes east, sixty-three feet four inches; thence easterly and parallel to Centre street, forty-three feet two inches; thence northerly at right angles, fifty feet; thence easterly, at right angles, fifty feet; thence northerly at right angles, one hundred feet, to the southerly line of Centre street; thence westerly, along said southerly line, one hundred feet; thence southerly, at right angles, one hundred feet; and thence westerly, at right angles, fifty feet; and thence southerly along Kentucky street, twenty-two feet, to the place of beginning; lots numbered one, two, three, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen and sixteen, in block numbered four hundred and sixteen; all of blocks numbered four hundred and seventeen and four hundred and seventeen and a half, and lots numbered one, two, three, four, five, ten, eleven, twelve, thirteen and fourteen, in block numbered four hundred and eighteen; all of said blocks, parts of blocks and lots being tide lands and lands lying under water and situate in Mission Bay, in the City and County of San Francisco, State of California; also, the following lots in Islais Bay or Cove, viz: Lots numbered seven, eight, nine, ten, eleven, twelve, thirteen and fourteen, in block numbered four hundred and five; lots numbered one, two, three, four, five, six, seven, fourteen, fifteen and sixteen, in block numbered four hundred and six; lots numbered seven, eight, nine, ten, eleven, twelve, thirteen and fourteen, in block numbered four hundred and thirty-two; lots numbered one, two, three, four, and five, in block number four hundred and thirty-one; all of said block and lots being tide lands and lands lying under water and situate in Islais Bay or Cove, between the high lands of the Potrero Reserve and the tide lands granted to the Golden City Homestead Association, the aggregate area of the said blocks, lots and parts of blocks in Mission Bay and Islais Bay or Cove, being sixty acres. Being the same

blocks and lots numbered as above stated, and as the same appear on the map prepared by the Board of Tide Land Commissioners, approved by the State Board, which said map is now on file in this office.

RAILROAD RIGHT OF WAY ESTABLISHED.

On the twenty-ninth of May, eighteen hundred and sixty-nine, the right of way for the Southern Pacific and Western Pacific Railroad Companies was fixed and designated as follows, so far as the same passes over the public lands of the State, the said right of way being two hundred feet in width, and lying one hundred feet on each side of the following described centre line, to wit:

Beginning at a point in block numbered forty-three, on the southerly line of Channel street, distant one hundred feet northeasterly from the northerly line of Fourth street; thence southeasterly and parallel to Fourth street five hundred and thirty feet; thence curving to the right, with a curvature of about four degrees, to a point on the northerly line of block numbered forty-seven, distant one hundred feet easterly from the easterly line of Kentucky street; thence southerly, parallel to and distant one hundred feet easterly from the easterly line of Kentucky street, crossing and along blocks numbered forty-seven, four hundred and eighteen, four hundred and seventeen, four hundred and seventeen and a half, four hundred and sixteen, four hundred and fifteen, four hundred and fourteen, four hundred and thirteen, four hundred and twelve, four hundred and eleven, four hundred and ten, four hundred and nine, four hundred and eight, four hundred and seven, four hundred and six, four hundred and five, four hundred and four, four hundred and three, four hundred and two, four hundred and one and five hundred and twenty-three, to the southerly line of First avenue; thence southerly in a direct line to a point on or near Candlestick Rock, said point being on the westerly line of D street, distant one hundred feet southwesterly from the southerly line of Thirty-fourth avenue; thence continuing the same direction to the southern boundary line of the City and County of San Francisco. This designation of the right of way of two hundred feet in width shall not impair any right or interest vested in any person or corporation by virtue of the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, or any other Act of the Legislature of the State of California, now in force or otherwise.

At a regular meeting held on June second, eighteen hundred and sixty-nine, the above resolution was amended by adding after the words "or otherwise," the following words, to wit: "and shall be subject to any right of purchase which may hereafter be allowed by this Board to any person or persons, under the provisions of the Act aforesaid, all such portions as are hereafter specified as embraced within such rights of purchase being expressly excepted from the operation of said right of way."

At a regular meeting of the Commissioners, held May twenty-ninth, eighteen hundred and sixty-nine, the following supplementary and amendatory resolution was unanimously adopted, and was approved by the State Board July ninth, eighteen hundred and sixty-nine:

Resolved, That Eighth street be extended southeasterly to Centre street.

That King, Berry, Channel, Hooper and Irwin streets be extended southwesterly to Eighth street.

That Hubbell, South, El Dorado and Eureka streets be extended southwesterly to Centre street.

That Indiana and Iowa streets be extended northerly to Centre street, and from Sixth street to South street.

That Pennsylvania avenue, Mississippi, Texas, Missouri, Connecticut and Arkansas streets be extended northerly to Centre street.

That Wisconsin, Carolina, De Haro and Rhode Island streets be extended northerly to Eighth street.

That Kansas, Vermont, Nebraska and Utah streets and Potrero avenue be extended northerly to Channel street.

That El Dorado and Alameda streets, situate on the Potrero Nevero, be extended easterly to Eighth street.

That so much of any resolution heretofore adopted by this Board which may conflict or be inconsistent with the provisions of this supplementary resolution, be and is hereby rescinded; and that the Surveyor be instructed, and is hereby authorized to attach said supplementary resolution, and a plat in conformity therewith, to the map prepared by the Board of Tide Land Commissioners, and now on file in the office of the State Surveyor.

RULES FOR THE GOVERNMENT OF THE SALE.

At a meeting of the State Board, held June second, eighteen hundred and sixty-nine, rules and regulations for the government of the auction sales of tide lands were adopted.

THE JUNE SALE.

The auction sales, as advertised according to law, were made by Messrs. Talbert & Leet, auctioneers, at Platt's Hall, in the City and County of San Francisco, on the second, fourth, seventh and ninth days of June, eighteen hundred and sixty-nine, resulting in the sale of two thousand four hundred and forty full lots, and two hundred and thirty-four fractional lots of tide lands, aggregating the sum of three hundred and twenty-eight thousand four hundred and sixty-seven dollars and sixty-three cents, United States gold coin, twenty-five per cent. of which, to wit, eighty-two thousand one hundred and sixteen dollars and eighty-nine cents, in like gold coin, was paid to the Commissioners at the time of sale.

APPROVAL OF SALE—MONEY PAID TO STATE TREASURER.

The sale having been approved by the State Board, the Commissioners paid over to the State Treasurer the twenty-five per cent., to wit, eighty-two thousand one hundred and sixteen dollars and eighty-nine cents, as prescribed in the eighth section of the Act.

COMPENSATION OF AUCTIONEERS FIXED.

On July ninth, eighteen hundred and sixty-nine, the State Board fixed the compensation of the auctioneers, Messrs. Talbert & Leet, at one-half of one per cent. commission on sales made.

RESOLUTION IN REGARD TO NOTARIES PUBLIC.

The following resolution was adopted at a meeting of the Commissioners, held on the twenty-eighth day of July, eighteen hundred and sixty-nine :

Resolved, That W. H. Chevers, I. G. Messec, John Hamill and H. S. Tibbey, be and they are hereby designated as the Notaries Public who shall take the acknowledgments of the deeds to be executed by the Board of Tide Land Commissioners, each of them to have one-fourth of the acknowledgments of the deeds for each separate sale; *provided*, that they will each of them state in writing that they will be satisfied with a compensation of two dollars for each deed.

The Notaries Public named above, having complied with the conditions of the foregoing resolution, the acknowledgments of the deeds for the June sale were apportioned to Messrs. Chevers, Messec, Hamill and Tibbey, as above designated. The deeds for the June sale were duly executed and forwarded to the State Treasurer, as prescribed by the Act. The acknowledgments of the deeds for the September sale had not been made at the date of this report, the deeds for said sale not being written at this time.

SECOND SALE ORDERED.

It was ordered, at a meeting of the Commissioners, held on the twenty-eighth day of July, eighteen hundred and sixty-nine, that the following described tide lands be advertised for sale at public auction at the sales room of Talbert & Leet, number five hundred and twenty-six, California street, in the City and County of San Francisco, commencing on Wednesday, September fifteenth, eighteen hundred and sixty-nine, to wit :

Being all the tide lands belonging to the State of California, and bounded on the north by Islais Creek channel, on the south by the open canal, on the east by the water line front, and on the west by the shore line of San Francisco Bay; also, blocks numbered seven hundred and seventy-six, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and seventy-nine, seven hundred and eighty and seven hundred and eighty-one, lying south of the open canal, which were not advertised at the last sale; also, parts of blocks numbered five hundred and thirteen, five hundred and seventy-five, five hundred and ninety-six, five hundred and ninety-seven and five hundred and ninety-eight, delinquents from June sale, amounting in the aggregate to one hundred and twenty-eight full, and seventy-one fractional blocks.

THE SEPTEMBER SALE.

The second auction sale, as advertised, was made on September fifteenth, seventeenth, twentieth, twenty-second, twenty-fourth, twenty-seventh and twenty-ninth, eighteen hundred and sixty-nine, resulting in the disposition of three thousand and eighteen full and four hundred and six fractional lots, aggregating the sum of four hundred and eighty-four thousand six hundred and forty-one dollars and eleven cents, United States gold coin, twenty-five per cent. of which amount, to wit, one

hundred and twenty-one thousand one hundred and sixty dollars and twenty-seven cents, like gold coin, was paid to the Commissioners at the time of sale.

THIRD SALE ORDERED ADVERTISED.

The third sale of tide lands, to commence on Friday, November twenty-sixth, eighteen hundred and sixty-nine, was ordered advertised at a meeting of the Commissioners, held on the eighteenth day of October, eighteen hundred and sixty-nine, and embraces all the tide lands belonging to the State of California lying between Islais Creek channel and the "red line" of Mission Bay, excepting such lots as were allowed by the Commissioners to preferred purchasers, under the fifth section of the Act. This property, on account of its closer proximity to the business centre of the city, is by far the most valuable yet offered by the Commissioners, and the prices to be realized will serve to fix the standard of value to be placed upon the lots reserved to preferred purchasers. As the contemplated sale will not take place for several weeks, the account of the same will be necessarily deferred to the next report of the Commissioners.

DISBURSEMENTS AND RECEIPTS.

We hereby furnish in detail an account of the disbursements and receipts of the Commission, from the time of the organization of the survey, May seventh, eighteen hundred and sixty-eight, to October first, eighteen hundred and sixty-nine:

DISBURSEMENTS.

SALARIES OF THE COMMISSIONERS, STATE BOARD, AND SECRETARY.

B. F. Washington, Commissioner, from June 9th, 1868, to October 1st, 1869, at \$2,500 per year.....	\$3,277 70
H. P. Coon, Commissioner, from June 9th 1868, to October 1st, 1869, at \$2,500 per year.....	3,277 70
L. L. Bullock, Commissioner, from June 9th, 1868, to October 1st, 1869, at \$2,500 per year.....	3,277 70
H. H. Haight, member of State Board, from July 1st, 1868, to July 1st, 1869.....	500 00
Frank McCoppin, member of State Board, from July 1st, 1868, to July 1st, 1869.....	500 00
James Otis, member of State Board, from July 1st, 1868, to July 1st, 1869.....	500 00
W. S. Byrne, Secretary, from June 17th, 1868, to November 1st, 1869, at \$2,000 per year	2,738 82
	<hr/> \$14,071 92

MISCELLANEOUS EXPENSES OF OFFICE.

July 2, 1868	Frank J. Edwards, carpeting office.....	\$150 75
July 2, 1868	Johnson & Best, furniture for office.....	142 50
July 2, 1868	William S. Thompson, clock for office.....	8 25
July 2, 1868	William B. Cooke, stationery for office.....	77 75
July 2, 1868	Thomas Ross, gas fixtures for office.....	50 00
July 2, 1868	George B. May & Co., furniture for office.....	90 00
July 2, 1868	Noble & Gallagher, painting sign for office....	35 50
July 2, 1868	San Francisco Gas Company, gas bill.	8 00
Aug. 1, 1868	Independent Dispatch, circulars.....	6 00
Aug. 1, 1868	L. L. Bullock, disbursements for office, as per voucher.....	16 00
Aug. 1, 1868	William B. Cooke, newspaper files.....	4 37
Aug. 1, 1868	William S. Byrne, disbursements for office, as per voucher.....	24 25
Sept. 12, 1868	H. H. Bancroft & Co., statutes of California..	70 00
Oct. 2, 1868	L. L. Bullock, disbursements for office, as per voucher.....	17 00
Oct. 2, 1868	Wm. S. Byrne, disbursements for office, as per voucher.....	10 00
Oct. 2, 1868	A. Estell, copying records of Sacramento.....	250 00
Nov. 1, 1868	L. L. Bullock, disbursements for office, as per voucher.....	41 00
Nov. 1, 1868	Courrier de San Francisco, advertising.....	5 00
Nov. 1, 1868	California Demokrat, advertising.....	6 00
Nov. 1, 1868	Alta California, advertising.....	6 00
Nov. 1, 1868	L. B. Harris, copies of maps from Secretary of State.....	125 00
Dec. 1, 1868	San Francisco Gas Company bill.....	3 15
Dec. 1, 1868	L. L. Bullock, disbursements for office, as per voucher.....	20 00
Dec. 1, 1868	Frank G. Edwards, matting for office.....	11 30
Dec. 1, 1868	Morning Call, advertising.....	15 00
Dec. 1, 1868	Courrier de San Francisco, advertising.....	7 00
Dec. 1, 1868	San Francisco Daily Times, advertising.....	6 50
Dec. 1, 1868	California Demokrat, advertising.....	7 00
Dec. 1, 1868	San Francisco Bulletin, advertising.....	10 50
Dec. 1, 1868	Independent Dispatch, advertising.....	7 00
Dec. 1, 1868	Morning Call, advertising.....	20 00
Jan. 1, 1869	Alta California, advertising.....	8 00
Jan. 1, 1869	San Francisco Daily Times, advertising.....	24 00
Jan. 1, 1869	Wm. S. Byrne, disbursements for office as per voucher.....	5 50
Jan. 1, 1869	W. H. Sorkum, cleaning office two months....	20 75
Jan. 1, 1869	H. H. Bancroft & Co., stationery for office	7 25
Feb. 9, 1869	G. W. Dennis, coal and wood.....	12 00
Feb. 9, 1869	L. L. Bullock, disbursements for office, as per voucher.....	6 00
Feb. 9, 1869	Courrier de San Francisco, advertising.....	8 00
Mar. 1, 1869	San Francisco Daily Examiner, subscription	2 50
Carried forward.....		1,349 62

	Brought forward	\$1,349 62
Mar. 1, 1869	G. C. Eldridge, coal and wood.....	6 00
Mar. 1, 1869	San Francisco Daily Examiner, advertising....	40 00
Mar. 1, 1869	Alta California, subscription.....	9 50
Mar. 1, 1869	W. H. Sorkum, cleaning office.....	10 00
Mar. 1, 1869	San Francisco Gas Company bill.....	5 20
Mar. 1, 1869	San Francisco Evening Bulletin, subscription	6 00
April 1, 1869	W. S. Byrne, disbursements for office, as per voucher.....	5 00
April 1, 1869	Johnson & Best, making letter box.....	7 00
April 1, 1869	F. Alvis, cleaning office one month.....	10 00
April 1, 1869	L. L. Bullock, disbursements for office, as per voucher.....	7 00
May 1, 1869	F. Alvis, cleaning office one month.....	10 00
May 1, 1869	San Francisco Herald, subscription.....	3 75
May 1, 1869	San Francisco Daily Examiner, subscription	2 25
May 1, 1869	Capital Reporter, subscription.....	2 25
May 1, 1869	Morning Call, subscription.....	2 00
June 11, 1869	F. Alvis, cleaning-office.....	10 00
July 1, 1869	Wm. B Cook, stationery for office.....	47 00
July 1, 1869	F. Alvis, cleaning office one month.....	10 00
July 1, 1869	State Capital Reporter, subscription.....	2 00
July 1, 1869	San Francisco Herald, subscription.....	6 50
July 1, 1869	O. Bergson, repairing of furniture.....	5 50
Sept. 1, 1869	H. H. Bancroft & Co., stationery for office....	17 50
Sept. 1, 1869	San Francisco Bulletin, subscription.....	8 25
Sept. 1, 1869	L. L. Bullock, disbursements for office, as per voucher.....	15 00
Sept. 1, 1869	Wm. S. Byrne, disbursements for office as per voucher.....	8 50
Sept. 1, 1869	F. Alvis, cleaning office one month.....	20 00
Oct. 1, 1869	Alta California, subscription.....	15 25
Oct. 1, 1869	State Capital Reporter, subscription.....	3 00
Oct. 1, 1869	San Francisco Herald, subscription.....	3 00
Oct. 1, 1869	F. Alvis, cleaning office.....	10 00
		<hr/> \$1,652 27 <hr/>
William and Robert Watt, rent of office from June 18, 1868, to November 1, 1869, at \$50 per month.....		\$820 00

MISCELLANEOUS EXPENSES OF SURVEY.

July 2, 1868	R. W. Norris, disbursement for survey, as per voucher.....	\$57 35
July 2, 1868	G. F. Allardt, disbursement for survey, as per voucher.....	23 75
July 2, 1868	Shepard Bros., hardware, as per voucher.....	32 13
July 2, 1868	Martin Winch, keys, as per voucher.....	3 65
July 2, 1868	W. H. Eastman, work on tide gauge.	162 00
July 2, 1868	Thomas Tennett, one theodolite.....	300 00
July 2, 1868	George B. Hitchcock & Co., stationery for drafting department.....	110 63
July 2, 1868	John Roach, instruments.....	389 25
July 2, 1868	C. Doscher, hardware.....	5 20
July 2, 1868	A. Crawford & Co., ship chandlery.....	356 03
Aug. 1, 1868	A. Blair, Second Assistant, disbursement for survey, as per voucher.....	8 00
Aug. 1, 1868	G. T. Allardt, First Assistant, disbursement for survey, as per voucher.....	6 75
Aug. 1, 1868	W. I. Stone, repairing boat.....	25 50
Aug. 1, 1868	E. Deitrick, one round tent.....	67 50
Aug. 1, 1868	Johnson & Best, work on Surveyor's table ...	7 00
Aug. 1, 1868	A. Crawford, ship chandlery, including boat No. 1.....	192 68
Aug. 1, 1868	Pope & Talbert, lumber for survey.....	9 10
Oct. 2, 1868	G. B. Hitchcock & Co., articles for drafting department.....	59 00
Oct. 2, 1868	G. F. Allardt, disbursement for survey, as per voucher.....	36 25
Oct. 2, 1868	Johnson & Best, cabinet work for survey.....	22 00
Oct. 2, 1868	John G. North, rent of Surveyor's office	70 00
Oct. 2, 1868	John Roach, repairing instruments.....	43 50
Oct. 2, 1868	House Carpenters' Protective Union, lumber	39 53
Oct. 2, 1868	Shepard Bros., ship chandlery.....	16 50
Oct. 2, 1868	Wm. Schmolz, leveling instrument	190 00
Nov. 1, 1868	C. H. Olmstead, repairing boats.....	3 50
Jan. 1, 1869	G. B. Hitchcock & Co., stationery for drafting department	69 75
Jan. 1, 1869	G. F. Allardt, disbursement for survey, as per voucher.....	31 90
Jan. 1, 1869	Jos. Baker, painting three boats.....	65 00
Jan. 1, 1869	R. W. Norris, disbursement for survey, as per voucher.....	95 00
Feb. 9, 1869	C. Beilawski, making map of Salinas Rancho	10 00
Feb. 9, 1869	Wm. Schmolz, repairing Surveyor's instruments.....	48 00
Feb. 9, 1869	House Carpenters' Protective Union, lumber	8 00
Mar. 25, 1869	House Carpenters' Protective Union, lumber	15 00
April 10, 1869	W. A. Kollmyer, framing official map.....	32 75
June 11, 1869	G. B. Hitchcock, stationery for drafting department.....	88 50
	Carried forward.....	\$2,700 70

	Brought forward.....	\$2,700 70
June 11, 1869	Charles Otto, making stencils for diagrams...	29 85
June 11, 1869	Edw. Denny & Co., stationery for drafting department.....	23 95
June 11, 1869	W. H. Eastman, carpenter work for survey...	53 50
June 11, 1869	Wm. Schmolz, use of transit instrument.....	21 00
July 9, 1869	G. F. Allardt, disbursements for survey, as per voucher.....	9 00
Sept. 9, 1869	Edw. Denny & Co., stationery for drafting department.....	37 50
		<hr/> \$2,875 50

SALARIES OF EMPLOYÉES ON SURVEY. *

R. W. Norris, Surveyor, from May 7, 1868, to July 1, 1868, at \$500 per month.....	\$942 30
R. W. Norris, Surveyor, from July 1, 1868 to December 1, 1868, at \$200 per month.....	1,000 00
G. F. Allardt, First Assistant, from May 7, 1868, to October 1, 1869, at \$400 per month.....	6,753 84
A. Blair, Second Assistant, from May 7, 1868, to September 1, 1869, at \$225 per month.....	3,539 42
John Clar, Third Assistant, from May 19, 1868, to November 30, 1868, at \$200 per month.....	1,157 94
J. T. Washington, Gauge-keeper, from May 11, 1868, to November 11, 1868, at \$125 per month.....	762 17
Martin Winch, Captain of Boats, from May 29, 1868, to October 1, 1868, at \$150 per month.....	499 99
P. Thompson, Recorder of Time, from June 1, 1868, to April 1, 1869, at \$100 per month.....	923 08
J. D. Patterson, Measurer, from May 11, 1868, to October 1, 1868, at \$100 per month.....	442 30
W. W. Dodd, Measurer, from May 11, 1868, to September 1, 1868, at \$100 per month.....	353 07
Edw. Kluegel, Signalman, from May 18, 1868, to July 1, 1868, at \$90 per month.....	131 53
Edw. Kluegel, Measurer, from July 1, 1868, to February, 1, 1869, at \$100 per month.....	623 08
Theo. E. Hoin, Flagman, from June 1, 1868, to November 1, 1868, at \$90 per month.....	450 00
Theo. E. Hoin, Measurer, from November 1, 1868, to April 1, 1869, at \$100 per month.....	411 54
G. H. Norris, Boat-steerer, from May 25, 1868, to July 1, 1868, at \$100 per month.....	100 00
Carried forward.....	<hr/> \$17,990 26

* The employés on the survey were allowed pay only during actual service.

Brought forward.....	\$17,990 26
G. H. Norris, Captain of Boats, from July 1, 1868, to November 11, 1868, at \$150 per month	653 33
J. H. Ferguson, Sounder, from May 8, 1868, to August 1, 1868, at \$90 per month.....	238 84
J. H. Ferguson, Sounder, from August 1, 1868, to April 1, 1869, at \$100 per month.....	375 97
W. A. Gillette, Oarsman, from May 18, 1868, to April 1, 1869, at \$90 per month ..	854 99
Richard Norris, Oarsman, from May 18, 1868, to November 30, 1868, at \$90 per month.....	517 84
P. Clarkson, Oarsman, from May 28, 1868, to November 2, 1868, at \$90 per month	370 38
Jos. Baker, Oarsman, from July 4, 1868, to November 11, 1868, at \$90 per month.....	473 54
Hans Nielson, Oarsman, from June 1, 1868, to April 1, 1869, at \$90 per month.....	813 45
H. C. McDougall, Flagman, from August 9, 1868, to November 10, 1868, at \$90 per month.....	228 00
Charles Andrews, Flagman, from August 9, 1868, to November 11, 1868, at \$90 per month	234 46
D. Ahiles, Oarsman, from February 22, 1869, to April 1, 1869, at \$90 per month.....	41 54
Fred. Casselman, Flagman, from January 1, 1869, to April 1, 1869, at \$90 per month.....	117 69
Peter Hanson, Oarsman, from February 22, 1869, to April 1, 1869, at \$90 per month	41 54
Albert Lang, Oarsman, from February 22, 1869, to April 1, 1869, at \$90 per month.....	41 54
Wm. Bode, Oarsman, from February 22, 1869, to April 1, 1869, at \$90 per month	41 54
H. E. Uhrlandt, Timekeeper, from February 22d, eleven days, at \$5 per day.....	55 00
E. M. Richardson, Copyist, from December 1, 1868, to July 1, 1869, at \$5 per day	830 00
H. Alricks, Copyist, from July 1, 1869, to October 1, 1869, at \$5 per day.....	346 66
	<hr/>
	\$24,369 57

EXPENSES OF JUNE SALE OF TIDE LANDS.*

July 7, 1869..	Stockton Gazette, advertising	\$972 00
July 7, 1869..	Sacramento Union, advertising.....	528 00
July 7, 1869..	Real Estate Circular, advertising	15 00
July 7, 1869..	Chas. Otto & Co., stencil plates	19 50
July 7, 1869..	Edw. Denny, stationery.....	54 78
July 7, 1869..	H. S. Eldridge, clerk at sale	35 00
July 7, 1869..	George Johnson, clerk at sale.....	150 00
July 7, 1869..	D. W. Gelwicks, State Printer, second books	96 00
July 7, 1869..	D. W. Gelwicks, State Printer, sales.....	47 00
July 7, 1869..	D. W. Gelwicks, State Printer, 1,000 catalogues	370 00
July 7, 1869..	D. W. Gelwicks, State Printer, 2,500 deeds...	75 00
July 7, 1869..	D. W. Gelwicks, State Printer, 2,000 catalogues	515 32
July 7, 1869..	C. R. Storey, Treasurer of sale.....	150 00
July 7, 1869..	Talbert & Leet, Times' advertising bill.....	1,005 00
July 7, 1869..	Talbert & Leet, Alta's advertising bill.....	955 00
July 7, 1869..	Talbert & Leet, commissions on sales.....	1,764 10
July 7, 1869..	Talbert & Leet, dis. for sale, as per voucher..	531 00
July 21, 1869	Daily Examiner, advertising sale.....	2,380 50
July 21, 1869	San Francisco Herald.....	1,285 20
July 21, 1869	State Capital Reporter, advertising sale.....	2,305 50
Sept. 9, 1869..	T. J. Arnold, copying description for deeds..	215 15
Sept. 9, 1869..	John S. Rolls, copying account sales.....	35 00
Sept. 9, 1869..	C. H. Paxson, clerk at sale.....	75 00
Sept. 9, 1869..	John S. Rolls, copying deeds.....	95 00
Sept. 9, 1869..	Henry Casey, copying deeds.....	75 00
Sept. 9, 1869..	George Johnson, copying deeds.....	75 00
Oct. 8, 1869..	Wm. S. Byrne, stamps for certificates, as per voucher.....	26 85
Oct. 8, 1869..	Edward Bosqui & Co., 5,000 deeds.....	154 00
		<hr/> \$14,005 22

* The Controller's warrants not having been drawn for the amounts due the Notaries Public for the acknowledgments of the June sale, at the time of making out this report, the item is omitted from the expenses of the June sale.

EXPENSES OF SEPTEMBER SALE OF TIDE LANDS.

Sept. 9, 1869..	Talbert & Leet, dis. for sale, as per voucher..	\$40 85
Sept. 9, 1869..	Charles Otto & Co., stencil plates.....	6 75
Sept. 9, 1869..	Alta California, advertising sale.....	172 00
Sept. 9, 1869..	San Francisco Times, advertising sale.....	180 00
Sept. 9, 1869..	Daily Examiner, advertising sale.....	1,550 00
Sept. 9, 1869..	Los Angeles News, advertising sale.....	152 00
Sept. 9, 1869..	Grass Valley Daily News, advertising sale...	176 00
Sept. 9, 1869..	Stockton Gazette, advertising sale.....	168 00
Sept. 9, 1869..	State Capital Reporter, advertising sale.....	1,343 20
Sept. 9, 1869..	Sacramento Daily Union, advertising sale...	86 40
Sept. 9, 1869..	Sonoma Democrat, advertising sale.....	28 00
Sept. 9, 1869..	Courrier de San Francisco, advertising sale...	148 00
Sept. 9, 1869..	News Letter, advertising sale.....	50 00
Sept. 9, 1869..	California Demokrat, advertising sale.....	1,550 00
Sept. 9, 1869..	The Hebrew, advertising sale.....	100 00
Sept. 9, 1869..	The Hebrew Observer.....	100 00
Sept. 9, 1869..	Talbert & Leet, dis. for sale, as per voucher..	663 00
Sept. 9, 1869..	D. W. Gelwicks, State Printer, catalogues....	281 43
Sept. 9, 1869..	Real Estate Circular, advertising sale..	20 00
Sept. 9, 1869..	Talbert & Leet, commission on sale.....	3,007 78
		<hr/>
		\$9,823 41

RECAPITULATION.

Salaries of Commissioners, State Board, and Secretary.....	\$14,071 92
Miscellaneous expenses of office.....	1,652 27
Rent of office from June 18th, 1868, to Nov. 1st, 1869.....	820 00
Miscellaneous expenses of survey.....	2,875 50
Salaries of employés on survey—field and office.....	24,369 57
Expenses of June sale.....	14,005 22
Expenses of September sale.....	9,823 41
<hr/>	
Total.....	\$67,617 89

RECEIPTS.

TOTAL AMOUNT OF CASH RECEIPTS FOR SALE OF TIDE LANDS, ETC.

Feb. 25, 1869.	For sale of Boat No. 2.....	\$100 00
June 22, 1869	June sale of tide lands, on account.....	80,000 00
July 16, 1869.	Sale of Boat No. 1.....	40 00
July 19, 1869.	June sale of tide lands, in full.....	2,116 89
Oct. 12, 1869..	September sale of tide lands, on account.....	118,000 00
Nov. 10, 1869	September sale of tide lands, in full.....	3,160 27
		<hr/> \$203,417 16

San Francisco, November 17th, 1869.

B. F. WASHINGTON, President.
H. P. COON,
L. L. BULLOCK,
Tide Land Commissioners.

W. S. BYRNE, Secretary.

SURVEYOR'S REPORT.

SURVEYOR'S REPORT.

OFFICE OF THE TIDE LAND SURVEY, }
San Francisco, November 1st, 1869. }

Honorable Board of Tide Land Commissioners :

GENTLEMEN : I herewith respectfully submit the following report on the surveys and maps made and prepared under your directions, and in conformity with the provisions of the fourth section of the Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight :

BOUNDARIES.

The area surveyed embraces all the salt marsh and tide lands, and lands lying under water, belonging to the State of California, situate along the Bay of San Francisco and in the City and County of San Francisco, and lying within a depth of twenty-four feet water at the lowest stage of the tide, and extending from Fort Point, at the entrance of said bay, to the southern boundary line of said city and county. It is divided into two separate and detached parts by the San Francisco beach and water lots, described in the Act entitled an Act to provide for the disposition of certain property of the State of California, passed March twenty-sixth, eighteen hundred and fifty-one, the use and occupation of which were granted to the City of San Francisco for a term of ninety-nine years from the passage of said Act ; the reversionary interest of the State was subsequently disposed of by a Board of Commissioners appointed under the Act of May eighteenth, eighteen hundred and fifty-three, and a succeeding Board, consisting of the Governor, Secretary of State and Controller of State, created by an amendatory Act, passed May first, eighteen hundred and fifty-five.

For convenience of reference, I shall designate the area lying south of said lots as the "Southern Division," and the area lying west of the same, as the "Northern Division."

SURVEY OF THE SOUTHERN DIVISION.

This division extends from the foot of Second street, in the City of San Francisco, to the southern boundary line of the city and county, and contains by far the most valuable portion of the property at your disposal under the Act. The field work of the survey was commenced on the eleventh day of May, eighteen hundred and sixty-eight, and completed on the eleventh of January following. A thorough hydrographic survey was made of all the submerged lands in this division; the line of twenty-four feet water was first determined; intermediate soundings, on parallel lines one hundred feet apart, were then taken between that line and the shore of the bay, subsequently reduced to the datum plane of the lowest stage of the tide, and verified by comparisons with the series of tidal observations carried on for a number of years under the supervision of the United States Coast Survey. The meanders of the shore line at ordinary high water mark, and the inner meanders of the salt marshes adjacent to the uplands, were carefully surveyed, connections made with the lines of intercepting streets and municipal subdivisions, and with the various tracts of salt marsh and tide lands heretofore granted or conveyed by the State to individuals or corporations, or claimed by bona fide settlers, desiring to avail themselves of the benefits conferred in the fifth section of the Act. Finally, all permanent improvements contemplated in said fifth section were accurately located and measured.

The survey, in all its details, was executed with the greatest care and exactness, the accuracy of the linear and angular measurements having been tested by a thorough system of checks, closures and triangulations.

SURVEY OF THE NORTHERN DIVISION.

This division embraces all the salt marsh and tide lands lying between the western charter line of eighteen hundred and fifty (which is also the westerly limit of the beach and water lots before referred to), and the entrance of San Francisco Bay at Fort Point. The survey was commenced January twenty-sixth, eighteen hundred and sixty-nine, completed on the sixth of March following, and carried out with the same degree of accuracy and attention to detail as the survey of the southern division.

The preliminary map has been prepared and awaits your further action, relative to the establishment of the water line front, the extension of streets, reservations for public uses, etc., as set forth in the Act.

EXHIBIT OF FIELD WORK.

Southern Division.

Length of sounding lines run—two hundred and twelve miles.

Number of soundings recorded—nine thousand one hundred and sixty.

Length of meanders and other lines—thirty and thirty-one one-hundredths miles.

Time—from May eleventh, eighteen hundred and sixty-eight, to January eleventh, eighteen hundred and sixty-nine—eight months.

Northern Division.

Length of sounding lines run—twenty-nine miles.

Number of soundings recorded—one thousand two hundred and eighty.

Length of meanders and other lines—fourteen and sixty-nine one-hundredths miles.

Time—from January twenty-sixth, eighteen hundred and sixty-nine, to March sixth, eighteen hundred and sixty-nine—one and one-third months.

Aggregate.

Sounding lines—two hundred and forty-one miles.

Number of soundings—ten thousand four hundred and forty.

Meander and other lines—forty-five miles.

Time—nine and one-third months.

EXHIBIT OF OFFICE WORK.

Following is a list of maps drawn by me or under my supervision :

One official map of the southern division, for the Surveyor-General.

One official map of the southern division, for the Commissioners.

One official map of the southern division, for the auctioneers.

Two supplementary plats relating to the southern division.

Four enlarged maps of southern division, in sections.

One preliminary map of the northern division.

Four maps of the southern division, showing the claims of bona fide settlers.

One large auction map for the June sale.

Two large auction maps for the September sale.

Thirteen block maps, showing details of dimensions of the fractional lots and blocks.

Twenty-three plats, showing details of meander lines.

Thirteen block maps, showing details of dimensions of the fractional lots and blocks.

Two maps of the two thirty-acre tracts donated to the Southern Pacific and Western Pacific Railroad Companies for terminal purposes.

Two maps showing the right of way fixed for said railroad companies; besides a number of smaller plats and working drawings required during the progress of the work.

The computations incident to so extended and detailed a survey were necessarily voluminous and intricate; the exact dimensions in feet and inches, as well as the superficial area of each fractional or irregular lot, had to be computed, and the descriptive field notes for each parcel disposed of at the auction sale of June were written out in full for the purpose of making out the deeds to the purchasers. At present, I am engaged with my assistants in preparing the large auction map and the accompanying diagrams for the auction sale announced to take place on the twenty-sixth of this month, and in writing the descriptive field notes for the tide lands sold in September last.

OFFICIAL MAP OF THE SOUTHERN DIVISION.

This map is entitled a "Map of the salt marsh and tide lands, and lands lying under water, south of Second street, and situate in the City and County of San Francisco;" the original is on file in the office of the State Surveyor, at Sacramento, duly certified to by the Commissioners, the members of the State Board, the Secretary and the Surveyor. A

small supplementary plat, made in conformity with an amendatory resolution, adopted by the Commissioners on the twenty-ninth of May, eighteen hundred and sixty-nine, and certified to by the Secretary and the Surveyor, was likewise filed with the State Surveyor. Duplicates are retained in the office of the Commissioners, at San Francisco, as prescribed in the Act.

The map, on a scale of five hundred feet to the inch, is made in strict accordance with the field notes of the tide land survey and the several resolutions adopted by the Commissioners, in conjunction with the State Board, relative to the water line front and the reservations for streets, docks, piers, slips, canals, drains and other use necessary for the public convenience and the purposes of commerce, and other matters referred to in the Act. The blocks are subdivided, as near as may be, into rectangular lots of fifty feet front and one hundred feet in depth.

The soundings are expressed in feet (red figures) and denote the depth at the lowest stage of the tide. The depth at ordinary high tide is obtained by adding five and two-tenths feet to each sounding.

The part colored blue represents the tide lands and lands lying under water, extending from ordinary high water mark to a depth of twenty-four feet at the lowest stage of the tide. The part colored dark green exhibits the salt marsh as it existed at the date of this survey, and signifies land subject to semi-monthly overflow from ordinary spring tides. The part colored yellow represents what was originally either salt marsh or wet lands unfit for cultivation, but now reclaimed and occupied. It is situated mainly between Mission Creek and Third street. All traces of its original boundaries being obliterated, I concluded to adopt, as the most reliable data at hand, the field notes of the Pueblo survey, made in eighteen hundred and sixty-six, under instructions from the United States Surveyor-General.

The "San Francisco Beach and Water Lots" are bounded by a full red line, designated in the fourth section of the Commissioners' Act as the "red line water front of Mission Bay." This line is traced on the map in conformity with the description given in the Act of March twenty-sixth, eighteen hundred and fifty-one, as shown on the authenticated plat on file in the office of the City and County Surveyor of San Francisco.

All the salt marsh lands situated south of Precita Creek, together with the two tidal ponds near the county line, are included within the boundaries of the Rancho Rincon de las Salinas y Potrero Viejo, and the Rancho Cañada de Guadalupe de Visitacion y Rodero Viejo, grants of land made by the Mexican Government prior to the conquest and since confirmed by letters patent from the United States. These lands are, therefore, not subject to sale by the Commissioners.

STATE PATENTS.

The several tracts of salt marsh and tide lands heretofore granted or conveyed by the State of California to individuals or corporations, and shown on the map, are described as follows:

1. To William Alvord and the Pacific Rolling Mill Company, all of blocks numbered four hundred and eighty-six, four hundred and eighty-seven, five hundred and six, five hundred and seven, and the northerly three-fourths of block five hundred and five. (See Act of April 2, 1866, page 841, and Act of March 28, 1868, page 432, Stat. Cal.)

2. To the Golden City Homestead Association, all the salt marsh and

tide lands in the tract bounded on the north by Yolo street, on the south by Tulare street and Precita Creek, on the east by the easterly line of Massachusetts street, and on the west by De Haro street. (See Act of April 4, 1864, page 463, Stat. Cal.)

3. To William Dunphy and associates, for slaughtering purposes, the area bounded on the northeast by First avenue, on the southeast by I street, on the northwest by Kentucky street and Railroad avenue, and on the southwest by the shore line of San Francisco Bay. (See Act of March 30, 1868, page 625, Stat. Cal.)

4. To the California Dry Dock Company, all tide lands to a depth of thirty feet at low water, included between the northerly line of Fifth avenue, as extended, and a line parallel to, and one hundred and fifty feet westerly from the westerly line of A street, as extended. (See Act of March 28, 1868, page 422, Stat. Cal.)

5. To the South San Francisco Homestead and Railroad Association, all the lands situated in front of the property of said association within a distance not exceeding two hundred feet from low water mark, and in no case beyond a depth of water exceeding six feet at the lowest stage of the tide. (See Act of April 25, 1863, page 487, Stat. Cal.)

[NOTE—The area conveyed to said association is largely in excess of the area intended to be granted under the Act, extending at several points to a depth of seventeen feet water at the lowest stage of the tide, and at other points nearly one thousand feet beyond the line of low water mark. The map in the Commissioner's office exhibits the area as conveyed in the patent, and also the exact boundaries, as determined by the conditions set forth in said Act.]

6. To the Southern Pacific and Western Pacific Railroad Companies, two thirty-acre tracts of tide lands (donated to be conveyed under certain conditions), to said companies for terminal purposes. (See Act of March 30, 1868, page 716, Stat. Cal., and the foregoing report of the Commissioners, page 14.)

7. The right of way, two hundred feet in width, as fixed and designated for said railroad companies by the Commissioners. (See the same.)

FRANCHISES.

The tide lands in the southern division granted to certain parties for a specific purpose and for a limited number of years, are described as follows :

1. To D. B. Northrop and associates, under the name of the Mission Bay Bridge Company, the right of way for a bridge across Mission Bay, along Fourth and Kentucky streets; franchise expires ten years after completion of the bridge. (See Act of April 18, 1862, page 275, and Act of April 24, 1863, page 414, Stat. Cal.)

2. To Henry Owens, tide lands in Mission Bay, for a marine railway at the foot of Shasta street; expires April nineteenth, eighteen hundred and eighty-seven. (See Act of April 19, 1862, page 308, Stat. Cal.)

3. To John J. North and associates, for a marine railway, all the tide lands between Sierra and Humboldt streets, out to deep water; expires May second, eighteen hundred and eighty-seven. (See Act of May 2, 1862, page 474, Stat. Cal.)

4. To F. A. Hassey and associates, the right of way for a street rail-

road along Fourth and Kentucky streets, thence, on the most practicable route, to South San Francisco; expires April twenty-seventh, eighteen hundred and eighty-eight. (See Act of April 27, 1863, page 649, Stat. Cal.)

5. To Nathan H. Stinson and associates, for a wharf at the foot of Solano street. The conditions imposed by the Act have not been complied with. (See Act of April 27, 1863, page 715, Stat. Cal.)

6. To the Pacific Glass Works, the right to construct a wharf at the foot of Tennessee street, and to a depth of ten feet of water at low tide. Conditions not complied with. (See Act of April 27, 1863, page 726, and Act of April 4, 1864, page 509, Stat. Cal.)

7. To Rodmond Gibbons and associates, for a wharf in front of their powder magazine, on the Potrero, being a strip of tide lands one hundred and fifty feet in width, extending to eight feet water at low tide, and situate between Humboldt and Nevada streets; expires April fourth, eighteen hundred and eighty-four. (See Act of April 4, 1864, page 355, Stat. Cal.)

8. To the San Francisco Cordage Company, for a wharf in front of the Company's ropewalk, being a strip of tide lands two hundred feet in width, and extending to a depth of eight feet water at low tide; expires April fourth, eighteen hundred and eighty-four. (See Act of April 4, 1864, page 464, Stat. Cal.)

9. To Edward Tompkins and associates, the right of way for a street railroad over Mission Bay Bridge and along Kentucky street, across the new Potrero; thence, on the most practicable route, to the Bay View Park Race Course, or Hunter's Point; expires twenty-five years after completion of railroad. (See Act of April 2, 1866, page 749, Stat. Cal.)

SALES MADE BY THE COMMISSIONERS.

Sale in June, eighteen hundred and sixty-nine.

Comprising the tide lands situate between the open canal and the southern boundary line of the city and county :

77 full blocks, containing 1,872 lots 50 by 100 feet each, area.....square feet	9,360,000
58 fractional blocks, containing 568 lots 50 by 100 feet each, and 234 fractional lots, area.....square feet	3,612,206
Total area.....square feet	12,972,206

Equivalent to two thousand five hundred and ninety-four and forty-four one-hundredths full lots, fifty by one hundred feet each, or two hundred and ninety-seven and eighty one-hundredth acres.

Amount of sale.....	\$328,467 63
Average price per full lot.....	126 60
Average price per front, foot.....	2 53
Average price per acre	1,102 98

Sale in September, eighteen hundred and sixty-nine.

Comprising the tide lands situate between the open canal and Islais Creek channel :

109 full blocks, containing 2,276 lots 50 by 100 feet each, area.....square feet	11,380,000
89 fractional blocks, containing 742 full lots 50 by 100 feet each, and 406 fractional lots, area.. ....square feet	5,144,836
Total area.....square feet	16,524,836

Equivalent to three thousand three hundred and four and ninety-seven one-hundredths full lots, fifty by one hundred feet each, or three hundred and seventy-nine and thirty-six one-hundredths acres.

Amount of sale.....	\$484,641 11
Average price per full lot.....	146 64
Average price per front, foot.....	2 93
Average price per acre.....	1,277 52

PROPERTY REMAINING UNSOLD, NOVEMBER FIRST, EIGHTEEN HUNDRED AND SIXTY-NINE.

1. Tide lands between Islais Creek channel and the foot of Fourth street, in Mission Bay, amounting in the aggregate to nine hundred and twenty-nine lots, fifty by one hundred feet each.

2 Salt marsh lands bordering on Mission Creek and Mission Bay, but claimed under various titles, by actual settlers and other parties. Until these titles shall have been fully investigated by the Commissioners, it will be impossible to form an estimate of the amount of lands still belonging to the State.

3. Salt marsh and tide lands in the northern division. The water line front on this division not yet being established, the quantity of land belonging to the State and subject to sale under the Act cannot be determined, but may be roughly estimated at two hundred and forty-eight acres.

All of which is herewith respectfully submitted.

GEO. F. ALLARDT,
Surveyor and Chief Engineer, Tide Land Survey.

EIGHTH REPORT
OF THE
BOARD OF DIRECTORS AND OFFICERS
OF THE
CALIFORNIA INSTITUTION
FOR THE EDUCATION OF THE
DEAF AND DUMB, AND THE BLIND,

For the Two Years ending September 30, 1869.

D. W. GELWICKS, STATE PRINTER.

BOARD OF DIRECTORS.

J. P. WHITNEY, IRA P. RANKIN, B. H. RANDOLPH,
J. A. BENTON, WM. SHERMAN.

OFFICERS OF THE BOARD.

IRA P. RANKIN, President. WM. SHERMAN, Vice-President.
I. P. RANKIN, Auditor. J. P. WHITNEY, Physician.
J. A. BENTON, Secretary and Treasurer.

STANDING COMMITTEES.

<i>On Sanitary Regulations.</i>			<i>On Matters of Finance.</i>	
J. P. WHITNEY,	I. P. RANKIN.	|	B. H. RANDOLPH,	I. P. RANKIN.
<i>On Instruction.</i>				
WM. SHERMAN,			J. A. BENTON.	

VISITING COMMITTEE OF LADIES.

Mrs. J. P. WHITNEY,	Mrs. B. H. RANDOLPH,
Mrs. SAMUEL HORT,	Mrs. W. O. ANDREWS,
Mrs. DAVID BECK,	Mrs. Capt. E. SMITH.

OFFICERS OF THE INSTITUTION.

INTELLECTUAL DEPARTMENT.

WARRING WILKINSON, M. A.....PRINCIPAL.

TEACHERS OF THE DEAF AND DUMB.

WARRING WILKINSON, M. A., HENRY B. CRANDALL, HENRY FRANK.

TEACHER OF DRAWING.

HUBERT BURGESS.

TEACHERS OF THE BLIND.

CHARLES T. WILKINSON, JR., Miss LOUISE BOWEN.

TEACHER OF MUSIC.

M. B. CLARK.

DOMESTIC DEPARTMENT.

Mrs. EMILY F. AREY.....MATRON.

MECHANICAL DEPARTMENT.

CHARLES NUNNSHOEMAKER.
JOSEPH JEFFREY CABINET MAKER.
PETER PORTE.....CARPENTER.

REPORT OF THE DIRECTORS.

SAN FRANCISCO, October 1st, 1869.

To His Excellency,
H. H. HAIGHT,
Governor of California :

SIR : The Directors of the California Institution for the Deaf and Dumb and the Blind ask leave to present their biennial report :

During the two years which have elapsed since their last preceding report was made, the Institution has steadily pursued its upward and onward course. The number of pupils has not been greatly increased, because it has not been possible to receive larger numbers, for lack of accommodations. For a long time it has been true that room could be made for new pupils only as vacancies occurred, by reason of the departure, from any cause, of some former pupils.

At length the new edifice for the Institution, situated in the Township of Oakland, Alameda County, has been virtually completed, and there is no longer any lack of room. The opening of the regular term of instruction for the current year was somewhat delayed by the unfinished state of the new building ; but the work of instruction is now going forward with success, and the number of pupils is slowly increasing. It is probable that, by the beginning of the year eighteen hundred and seventy, the number of pupils will have risen to ninety or one hundred.

The health of the teachers, officers and pupils has been uniformly good the past two years, and the exemption from disease has been, much of the time, very remarkable. Whenever pestilence has threatened, or any symptoms of physical disorder have been manifested, the physician has been prompt, watchful, careful and successful.

The Principal of the Institution has been earnest, painstaking and indefatigable. He has discharged his arduous and manifold duties ably and acceptably. During the year eighteen hundred and sixty-eight, by the consent of the Directors, he made a brief trip to the Eastern States, for the purpose of observing the workings of some other similar institutions, examining into some supposed improved methods of teaching, and of purchasing such apparatus as would better meet the wants of this Institution. In the new building the results of his purchasing may now be seen to good advantage, and your attention is respectfully invited to them. All the other officers, teachers and instructors have been faithful,

diligent and efficient, and they deserve our esteem, approval and commendation.

The Directors have visited the buildings and grounds of the Institution every three months, in person; some of them oftener; and they have inspected all of the departments of the Institution with care, and have been always pleased with the neatness, order and dispatch exhibited in them. The Visiting Committee of ladies have, from time to time, inspected the domestic department closely, and have inquired searchingly into the condition of the bedding, wardrobe and personalities of the female pupils, and have reported themselves, on all occasions, as well satisfied with every essential.

In the mechanical department only a shoe shop has been hitherto maintained, for the repair and manufacture of shoes, mostly for the Institution itself. The proceeds of the shop could not be expected to be sufficient to defray all the expenses of it, but it has done much toward its own support. It is our earnest hope that an appropriation may at once be made for the establishment of other shops for teaching the business of tailoring and the art of printing to the deaf and dumb, and the manufacture of brooms and brushes to the blind.

The Directors have devoted much time and thought to the welfare of this Institution, and are abundantly satisfied that it deserves your fostering care, your generous confidence and your largest liberality. This is the only institution of the kind as yet in existence on the Pacific Coast, and it is now capable of receiving and instructing all the unfortunates of these classes, of the entire coast, who are of a fit age to be instructed. It is respectfully suggested that it might be well for the Governor and Legislature of California, by some public act, to invite the authorities of the State of Oregon, and those of the Territories of Washington, Idaho, Montana, Utah and Arizona, to place their deaf and dumb and their blind, of suitable age, in this Institution, at a low charge, until such time as other similar institutions shall be maintained on this side of the continent. The authorities of the State of Nevada have already made an appropriation for this particular purpose.

The Directors are profoundly grateful, on their part, for the fine situation and noble edifice provided for the Institution committed to their care. They believe that the Institution will prove itself worthy of the great things which the State has recently done for it, and will, in the years to come, amply repay all these expenditures of time, toil and money. And they renewedly urge its claims upon your appreciation and your benefaction.

For fences, outbuildings, shops, grading roads, the laying out of the grounds, and the general improvement of the property, a rather large appropriation will be needed, for the best economy, the coming two years.

Your special attention is invited to the report of the Principal, which accompanies this. And you are respectfully referred to the report of the Treasurer for information concerning the expenditures of the Institution in general and in detail. It is the opinion of the Directors that the economies of this Institution will bear comparison with those of any other similar one in our country. And they again commend it to your patient thought and kind consideration.

Respectfully submitted on behalf of the Directors.

IRA P. RANKIN,
President.

J. A. BENTON, Secretary.

REPORT OF THE PRINCIPAL.

To the Directors of the California Institution for the Deaf and Dumb and the Blind:

GENTLEMEN: In accordance with law and custom, I have the honor herewith to submit my biennial report, detailing the operations of the California Institution for the Deaf and Dumb and the Blind, from October first, eighteen hundred and sixty-seven, to date. The heretofore usually quiet history and unobtrusive work of the Institution during the past two years have been remarkably fruitful of event, at times rising almost to the dignity of tragedy, when the widespread peril of earthquake and pestilence combined to shake the stoutest heart. At no period of my life, here or elsewhere, has so much of toil and anxiety been crowded into so brief a space. While the Directors have given me a most generous consideration and co-operation, there are cares and responsibilities which every faithful Superintendent must bear solitary and alone; yet in my case these duties have come to be almost delights, in view of the rapid moral and intellectual progress of the pupils, the confidence of parents, and the cordial sympathy of the community with the work we seek to do. For these I am grateful, and especially am I grateful for the courtesy and kindness of the members who composed the last Legislature, before whom it became my duty, during the session of eighteen hundred and sixty-seven and eighteen hundred and sixty-eight, to represent the interests of the Institution. Were this the proper place I would gladly mention the names of scores of gentlemen that were ever found advocating our cause. Many of them have retired to private life, but the noble edifice we now occupy will stand as a lasting memorial of their wise and liberal legislation in behalf of the unfortunate.

At the date of the last report there were under instruction seventy pupils, of whom forty-eight were deaf and dumb and twenty-two blind. As the accommodations in the old buildings were sufficient for only seventy inmates, no increase could take place, and the only changes have been in the admission of those who took the place of pupils graduated or discharged. The term does not open till after the date of this report, so I cannot tell what our number will be, but, judging from the numerous applications already received, it will not fall far short of ninety.

It is evident that, with the increase of families, the ratio of deafness and blindness in California is approximating to that of older communities. The law of general averages, as Mr. Buckle has shown, holds

good everywhere, and in all departments of life or business, from suicides to the misdirection of letters. An exceptional or extraordinary phase of social life may increase or diminish these averages for a season, but the tendency is to equalization. For instance—in certain New England and East Canadian provinces the ratio of deafness is absolutely startling. It is doubtless due to intermarriages and the homogeneous nature of the population, and the consequent deterioration of race. Nothing is more favorable to a low ratio of congenital misfortune, such as blindness, deafness, idiocy, etc., than the admixture of various races. It consequently follows, that among a cosmopolitan population like that of California we may reasonably expect, for a time, at least, a fine physical development among the children and a low average of unfortunates. We also find, within our own experience and observation, less complication of misfortunes than is usual in institutions of this kind. Our pupils, especially those born in California, exhibit a higher grade of moral and mental calibre, united to more athletic and vigorous physical organizations, than I have ever seen elsewhere. This satisfactory condition of things no doubt will continue with the flow of immigration, after which climatic and social causes will tend to consolidate and render homogeneous our population, and the ratio of deafness and blindness will rise to the level of other and less favored localities.

The general health of the inmates during the past two years has been as good, perhaps better, than ever before. When one considers the straightened accommodations, the total lack of all hospital facilities, and the defective sewerage of the old quarters, together with the unusual prevalence of epidemic diseases in San Francisco and throughout the State, during the past term, our immunity from sickness seems a contradiction of all hygienic laws and human experience. Next to the Divine favor, I attribute this immunity to systematized regularity of habits, out-door exercise, and especially a wholesome and liberal diet. Nothing can be plainer than the food furnished the pupils, but the quantity is never stinted, and the quality is of the best. It costs a trifle more, but we find a decided advantage in it.

It is our painful duty to record the only death which has occurred in the Institution since its opening, a period of nine years. A frail little blind boy, Eugene Bennett, passed "out of the darkness into the light," on the twentieth of April, eighteen hundred and sixty-eight. It was a case of meningitis, sudden in attack, rapid in its course, and against which the most skilful medical treatment availed nothing. A few cases of measles, two of scarletina, two of pneumonia, and a mild case of varioloid occurring after the small-pox had ceased as an epidemic in the city, completes the medical register of two years. We can never expect to make a more favorable showing in this respect, even in our present beautiful home, but when I see the convenient sunshiny hospital accommodations that have been provided in our new buildings, sickness, and especially epidemics, have less terror for me than formerly, and my cares will be proportionately lightened.

The names of most of the officers and employes published in our last report will be found in this. Some changes, however, have occurred. Mr. Amasa Pratt, an excellent teacher, and a most worthy Christian man, has left the profession for another sphere of duty. His place is not easy to fill, and for the present his resignation will add to my other and numerous duties the necessity of teaching a class. In the musical department Mr. M. B. Clark, formerly of the Indiana Institution for the Blind, has taken the place of Mr. Constantine Mueller, and gives satis-

factory evidence of zeal and ability. In the domestic department our removal from San Francisco involves the loss of our most esteemed physician, Dr. J. P. Whitney, who has had the medical care of the Institution since its foundation, with what success, our unparalleled health record shows.

On the first of July, Mrs. Julia Griswold resigned her position as Assistant Matron, and returned to her former home in Connecticut. The place which she worthily filled for over three years is still vacant.

There has been added to the domestic department a steward, in the person of Mr. Edward Austin, a young man who, after six years service in the army, has returned to civil life with those habits of discipline and order which are so desirable in public institutions. We have also added to our working force a cabinet maker, Mr. Joseph Jeffery, and a carpenter, Mr. Peter Porte. The employment of these men is a measure of economy, as well as of practical benefit to our boys. There will be for several years much to do about the Institution in the way of carpentry and cabinet making, which, done by contract, would be very expensive, while under the supervision and instruction of competent mechanics, the pupils can render much assistance and, at the same time, acquire a knowledge of tools and their use, which will be exceedingly valuable in after life, even if they do not reach the dignity of journeymen.

The facilities for the mechanical education of our pupils are utterly unworthy of a State Institution. Heretofore it has not been advisable to spend money in the erection of shops, and we have put off the urgent demand of our pupils with the assurance that when we moved to the new buildings suitable provision would be made for learning trades. We look to the Legislature for aid in making good that promise. Surely it would not be refused if the Legislature could see how many supple hands are waiting for instruction in the handicraft which is to be not merely the means of physical support, but also an outlet for those mental activities and energies which otherwise must prey upon the mind itself.

It is a fatal error to suppose that intellectual culture is all that is required for success in life. We need the educated hand as well as the educated mind; not only a willingness to work, but a knowledge of methods. A few of our pupils will find employment as teachers and in clerical occupations, but the large majority must expect to take their places in the ranks, and hold their own therein. If our pupils are to be beggars, it would be better to withhold that culture which will only serve to make them feel more keenly the degradation of dependence. There is a false notion prevalent, too often inculcated by teachers, that the object of education is to lift one above the necessity of work; that living by one's wits is more honorable than living by one's hands. The consequence is, that many a worthy blacksmith and carpenter is spoiled in the vain endeavor to make lawyers, clergymen and clerks, out of unsuitable material. So far as is possible we seek to avoid this mistake. I have boys who can write an elaborate composition on any historical subject, or solve almost any arithmetical problem that may be given to them. I have others who can make a pair of handsome shoes. It is hard to tell which accomplishment is the source of most satisfaction.

Our little shoe shop, considering the disadvantages under which it is conducted, exhibits a creditable balance sheet, as follows:

RECEIPTS.	
For work done and sold.....	\$683 25
Finished work and stock on hand.....	100 00
	\$783 25
EXPENDITURES.	
Leather and findings.....	\$346 02
Balance in favor of shop.....	\$437 23

Our foreman, Mr. Charles Nunn, is a most faithful as well as an excellent workman, and under his instruction our pupils become not mere cobblers, whose attainments are limited to the patching of shoes, but they are fitted to earn journeyman's wages in any shop, as is proved by a number of our graduates.

In consequence of my absence at the close of the session of eighteen hundred and sixty-eight, the usual public exercises were omitted, but the academic year ending in June last was terminated by an examination conducted by Rev. A. L. Stone, D. D., Col. T. H. Holt, Dr. H. Gibbon and Rev. William Pond. The report of these gentlemen will be found in the appendix. A public exhibition was also given at the Metropolitan Theatre in San Francisco, before a densely crowded audience. The exercises were exceedingly creditable to the pupils, and the receipts larger than on any previous occasion. The fund from this source is now over six hundred dollars, which I hope to increase from year to year, and build up therewith a fine library without expense to the State. I have also, since the last report, held public exhibitions before the State Institute of teachers in San Francisco, and before the Legislature at Sacramento, whereby the interests of the Institution, I have no doubt, have been subserved and information concerning our work has been extended.

The Act reorganizing this Institution, approved March thirty-first, eighteen hundred and sixty-six, contains a clause providing for the admission of pupils from sister States and Territories, upon the payment of three hundred dollars per annum for each pupil so received; and it is well known that our new buildings have been constructed with reference to supplying educational facilities to all deaf and dumb and blind persons on this coast. Accordingly, during the last session of the Nevada Legislature, I made application to his Excellency Governor Blasdel, requesting that provision be made for those unfortunates in Nevada needing State aid. A suitable law was at once introduced and passed, coupled with an appropriation of three thousand dollars to carry out its intent. This prompt recognition of the claims of the deaf and dumb and the blind upon the State is creditable to the benevolent disposition of the people, and is worthy of imitation. No doubt the Legislature of Oregon would have acted in a similar spirit; but the unfortunate state of affairs, resulting in the premature and abrupt dissolution of that body, gave me no opportunity for calling attention to the subject. I have the names of ten or twelve applicants from that State, who are waiting for admission. They are growing up in darkness and ignorance; but as none of them have the means wherewith to pay our tuition fees, I see

no remedy until the next Legislature meets, and passes the needful Act and appropriation for support.

After weary waiting and harassing delays, the work to which I have given the four best years of my life approaches completion. A building of imposing appearance and enduring materials, pleasantly situated and conveniently arranged, is about to open its doors for the reception of pupils. In provision for the deaf and dumb and the blind, California may henceforth take front rank with any of her sister States, and can boast of an institution thoroughly in keeping with the enlarged philanthropy and civilization of the age. Its massive walls and liberal dimensions argue faith in the stability and permanence of our prosperity and future greatness; its architecture is satisfying to the eye and taste; while its internal arrangements show that attention has been paid, not only to the necessities, but to the comfort of those who have, at the best, little enough of this world's cheer.

The removal of the Institution marks an important epoch in its history, a brief retrospect will therefore appropriately find place in this report.

It was determined, four years ago, that a change from the old buildings was advisable. The rapid growth of San Francisco towards the Mission, the limited extent of land possessed, entirely inadequate for recreation grounds, gardening purposes and the erection of shops, so necessary to the mechanical education of our boys, and the defective internal arrangements of the old Institution, combined to render a removal simply a question of time. An Act was accordingly passed by the Legislature of eighteen hundred and sixty-five and eighteen hundred and sixty-six, appointing a Board of Commissioners with full powers to select a location, adopt plans, make contracts, and do all things necessary to carrying out the provisions of the Act. An appropriation of fifty thousand dollars was also made towards accomplishing the specified objects of the bill. The Board of Commissioners, consisting of Ira P. Rankin, Wm. Sherman, J. A. Benton, J. L. Downing and A. W. Saxe, organized at once and proceeded to the selection of a suitable site. Section three of the Act required the location "to be elevated, healthy, airy and pleasant; within seventy-five miles of San Francisco, and accessible by railroad or steamboat, and shall comprise not less than twenty acres of fertile land, easily cultivated, supplied with an abundance of good water, and capable of an easy and unobstructed drainage." To fulfil the requirements of that section was a difficult task, and the State Geologist did not hesitate to say that he believed it improbable, if not impossible, to do so. That the Board succeeded beyond expectation, every unprejudiced person will admit who visits the grounds. The farm consists of one hundred and thirty acres, of which fifty acres are of the highest fertility, the rest being hill land, well adapted for grazing purposes. The building stands at an elevation of something over three hundred feet above the level of the bay, directly in front of the Golden Gate, through which we look upon the broad ocean, with the Farralones rising in the dim distance, forty miles away. Within ten miles, on the opposite side of the bay, lies the Queen City of the Pacific in broad view. From there, ferry and railroad bring passengers to Oakland, whence a horse railroad is rapidly extending its facilities to our very doors. On the hill, eight hundred feet back of the Institution, gushes forth a living spring of pure water, flowing ten thousand gallons per day. A brick reservoir, holding about twenty-five thousand gallons, has been constructed, and six inches head at the spring sends the water by natural flow into the tanks on the roof of the

Institution. Competent judges have declared our water facilities alone to be worth fifteen thousand dollars.

The plans for the building were drawn by Messrs. Wright and Sanders, of San Francisco, in accordance with very definite instructions given by the Principal. The architectural effect of the edifice speaks for itself, but as to the internal arrangements, they are simply perfection. Familiar as I am, by reason of a long residence in a kindred institution, with the requirements of such an establishment, I see nothing to change. In the spring of eighteen hundred and sixty-eight, the Board authorized me to visit the various institutions at the East. I spent four months in that duty, but so far as arrangements or details are concerned, I had no suggestions to make on my return. There are some features particularly noticeable in our building: every room in the house occupied by officers or pupils has an outside exposure; only corridors look upon the courts; the kitchen, which is twenty-seven feet high, is a separate building, yet in immediate communication with the dining room and store rooms; every water closet and bath room, with the drainage therefrom, is outside; there is no sewer under the building, but the Institution is encircled by a large cement drain, into which all connections debouch. Thus, if any stoppage should occur, the miasma therefrom could not breed the disease and death which have so often resulted while the cause was unsuspected.

The ground for the foundation was broken on the twenty-ninth of July, and the corner stone was laid on the twenty-sixth of September, eighteen hundred and sixty-seven, and the work pressed on during the following winter as fast as the rains would permit.

The Legislature of eighteen hundred and sixty-seven and sixty-eight made an additional appropriation of sixty-five thousand dollars to complete the building, making a total of one hundred and fifteen thousand dollars that the State has contributed to this object. This sum, with the money derived from the sale of the old property in San Francisco, was believed to be sufficient to complete the buildings and lay out the grounds, and under ordinary circumstances it would have been. A variety of causes, however, combined to retard the progress of the building and to increase the cost of construction. The passage of the eight hour law, though possibly a blessing to the mechanic and laboring man, bore hardly on contractors who had entered into obligations before its enactment. The price of all materials enhanced in some cases to double rates. There was a scarcity of labor consequent on increased demand, and it was difficult to get mechanics to work ten hours in the country when eight hours in the city would earn the same pay. It is not to be wondered at, therefore, that cost was great and progress was slow, and that the fall term of school, which was to have opened here, found us in the old buildings. There, too, expense was incurred, for the time at which possession was to be given had passed, and of course rent must be paid or the buildings abandoned.

Then came the terrible earthquake of October twenty-first, eighteen hundred and sixty-eight, of which all have a vivid recollection. We suffered in common with many others, but the damage to the new edifice, though costly to repair, did not materially affect its strength. For instance—an unsecured stone gable over the northwest bay window fell, and in its fall crushed through the entire wood and glass work beneath, to the very base course. It was rebuilt with wood, to guard against a future contingency, and the stone gable on the southwest corner taken down and made to correspond. The beautiful cut stone chimneys,

without exception, were thrown down, and some falling inward, carried gas, soil and water pipes to the cellar. These chimneys have been replaced by galvanized iron tops, which, if not as beautiful, have the merit of greater safety. Then it was considered advisable by the Board, in view of the possible recurrence of such an event, to stud the whole interior walls of the building, so that the floors and ceilings would remain, even if the masonry was shaken down. The total cost of all the repairs was about nine thousand dollars, and that sum was borrowed of the Bank of British North America until the Legislature could make the necessary appropriation.

We shall need from the coming Legislature, outside of the regular appropriation for the support of the Institution, a further sum of twenty thousand dollars, part of which is for work already done—the rest for absolutely essential improvements. This, with the nine thousand dollars due for earthquake repairs, makes a total of twenty-nine thousand dollars.

To pay M. Heverin, for mantels.....	\$1,200 00
To pay J. K. Prior, for heating apparatus.....	4,000 00
To pay McNally & Hawkins, for water pipes, etc.....	1,200 00
To pay for erecting shops.....	3,000 00
To pay for gas works.	1,000 00
To pay for stable and outbuildings.....	1,600 00
To pay for fencing and laying out grounds	3,000 00
To pay for furniture.....	5,000 00
Total	\$20,000 00
Bank of British North America—money loaned for earthquake expenses.....	9,000 00
Total.....	\$29,000 00

The expenditure of this sum will put the Institution in the highest condition of efficiency, and make it not only equal, but, I sincerely believe, superior to any kindred establishment in the United States.

There is another matter to which, though not within my province, I cannot refrain from alluding. It is well known that one of the contractors, in fulfilling his obligation, has not only ruined himself, but has incurred indebtedness which he is utterly unable to pay. Much of this indebtedness is due to mechanics who depend upon their daily labor for support, and to whom the loss of two or three hundred dollars is no trifle. If the contractor referred to had neglected his work, or squandered his money in extravagant living, the case would be different; but he has worked hard, and given all his time, since he undertook the contract, to fulfilling his obligations. Nevertheless, for reasons detailed elsewhere, he will come short not far from ten thousand dollars, which loss will fall mostly upon poor men. This sum, I trust, the Board will urge upon the Legislature to pay. It is never the policy of a State to ruin its citizens, and relief bills are always favorably considered when evidence can be adduced to show that the State has profited by the loss of the individual. That such is the case in this instance can be clearly shown by any fair and candid investigation.

As many are not aware of what other States have done, or are doing,

in these benevolent enterprises, I have thought that the following statistics, mostly gathered from personal correspondence with the Principals of kindred institutions, might be of some interest to our own people. It should be remembered that those marked "gold," with the exception of California, were built before the war, when unskilled labor was worth from seventy-five cents to a dollar per day, while competent mechanics' wages ranged from a dollar and a half to two dollars, with proportionate prices for materials :

TABULAR STATEMENT,

Giving the cost of institutions for deaf and dumb and the blind in different States.

STATE.	Deaf and dumb.	Blind.	Total.
New York	\$563,000 gold	\$150,000 g'd, \$300,000 c'y	\$1,013,000
Ohio	625,000 currency	300,000 currency	925,000
Indiana	137,000 gold	100,000 gold	237,000
Illinois	100,000 gold	80,000 gold	180,000
Wisconsin	100,000 gold and cu'y..	70,000 gold	170,000
Iowa (now erecting)	300,000 currency	No returns	300,000
Maryland†	None†	\$150,000 currency..	150,000
Washington	\$200,000 cu'y expended..	250,000 more required...	450,000
Michigan*	150,000 gold	100,000 more required...	250,000
Louisiana*	Gold	Gold	250,000
California*	Gold	Gold	158,000

† Sends her deaf and dumb to Pennsylvania and Washington.

Those States in the above table, marked with an asterisk, have "mixed" institutions; that is, institutions where the deaf and dumb and the blind are associated in one and the same building. This union is effected as a measure of economy, and has always been regarded as a temporary expedient, and is deprecated by every member of the profession with whom I have conversed on the subject. I came to California entertaining similar views, and with the firm determination to use my influence to separate the two classes at the earliest practicable moment. An experience of four years has led to a change of opinion, and I am prepared to assert, and to prove by practical results, that the deaf and dumb and the blind may be kept under one management, not only without detriment to either class, but with actual advantage to both. That there is a strong antipathy on the part of the blind towards the deaf and dumb, I admit; and where buildings designed ultimately for one class, are used for the temporary accommodation of both, the promiscuous intercourse resulting therefrom is the cause of frequent bickerings, which lead to irritation and sometimes tumult. But even these annoyances, in the hands of patient and judicious teachers, are not without their uses in cultivating forbearance and those Christian graces which adorn life wherever found. However, the argument for separation, drawn from the antipathy of the two classes, has no weight when applied to the California Institution. Our building I believe to be the only one in the world planned with special reference to the permanent union of the deaf and dumb and the blind; and so far as isolation is concerned, the arrangement is perfect. Each corner of the edifice is, indeed, an institu-

tion by itself, with all the details of sitting room, dormitories, clothes rooms, lavatories, bath rooms, etc., yet each having access by separate passages to a common dining room and chapel, where, of course, they are under the immediate supervision of officers.

The benefits to be derived from a union of the two classes are numerous and important. In the first place, there is the advantage of economy. It is well known that institutions for the deaf and dumb and the blind, even under the most careful management, are the most expensive of all State establishments. The peculiar misfortune of their inmates involve a large amount of service, both in the domestic department and in the class room; apparatus is special and costly, while the mechanical education of the boys, looking to prospective rather than immediate returns, helps to swell the expenses. Any measure of economy, then, consistent with efficiency in the conduct of the Institution, should be used. One building, one Principal, one physician, one set of domestics, one stewards' department, one stable, in short one establishment where two would otherwise be required, effects a saving not to be overlooked or disregarded. Much of the apparatus adapted to the use of the blind is available for the deaf and dumb. Moreover, there may be cultivated a generous and healthy rivalry between the deaf and dumb and the blind, which stimulates to zeal and application. This stimulus extends to teachers as well as pupils. Suggestions derived from individual experience in one line of instruction, becomes the common property of all, and the tendency of all teachers of specialities to provincialism of thought is to a degree counteracted.

It will be understood that I am speaking with a limitation. Beyond a certain number division is a necessity. That limit depends largely upon the devotion and the activity of the Principal and teachers. It may be safely asserted that where the family relation is lost sight of, and pupils come to be governed like armies, by delegated authority and the discipline of fear, the highest results will not be achieved. It follows, therefore, that I do not favor large educational establishments, and whenever the building we now occupy is full, though its plan contemplates enlargement, I shall advocate a separation.

Leave of absence for four months being granted by the Board, I went East on the twenty-second of April, for the purpose of visiting kindred institutions, and of adopting any suggestions that might be derived therefrom. I was most kindly and courteously received at the various institutions on my line of travel, and every facility was extended to me for accomplishing the purpose of my visit.

The science of deaf mute instruction is eminently empirical in its nature, and requires years to demonstrate the value of a method. I was not, therefore, surprised to find that among all the older institutions substantially the same system was in vogue under which I was trained, and which a half century of experience and observation has justified and approved. Such a system, with the testimony in its behalf of many able and judicious educators of the deaf and dumb, is not to be thrown aside without good and sufficient reasons. On the other hand, it is not wise to reject a theory or method simply because it is an innovation upon established precedent or disagrees with settled convictions. Seeking, therefore, for facts rather than a bolster to my own theories, I was very glad to accept the invitation of Gardiner Green Hubbard, Esq., President of the Northampton School for Deaf Mutes, to examine the workings of that experimental school, and practically test the value of "Articulation" as a system of instruction. Mr. Hubbard kindly accompanied me from Boston

to Northampton, where we met by appointment Prof. I. L. Peet, the experienced Principal of the New York Institution for the Deaf and Dumb. We spent a whole day in the work, and if we failed to find out what the pupils knew, it was our own fault, for the pupils and teachers were placed at our service. I have not room to give in detail the experiments of that day. I can only state the impressions left upon my mind:

I. The pupils, as a class, are selected, and are intellectually above the average of deaf mutes. I think the officers are quite willing that Hartford should have all the mediocre and dull ones.

II. The pupils were more developed in intelligence than I expected. There was less of the "parrot utterance" than is generally supposed to be the result of articulation.

III. This development struck me as being accomplished *in spite of*, rather than by, the system of articulation. The teachers possess, in a remarkable degree, the requisites of success—tact and enthusiasm; and I firmly believe that the same energy and judicious application of common sense which I saw displayed in that school would produce as good, if not better results, without the aid of articulation.

IV. Their best pupils, two semi-mutes, will bear no comparison in intelligence and attainments with the two best pupils in this Institution, one of whom never heard a sound, and the other lost his hearing at seven years of age.

V. The school is as yet an experiment, but it is an experiment which we are all interested in seeing carried to ultimate results. It is, therefore, most desirable that Massachusetts should afford every facility to the enterprise.

VI. I do not consider it advisable, at present, to make any special provision for the teaching of articulation in this Institution. Of course, every faithful teacher will cultivate the speech of any semi-mute he may have in his class; and the few congenital mutes whose vocal organs may be adapted to the acquiring of articulate speech can afford to await the result of the Northampton experiment. I sincerely believe that, for all the practical relations and intercourse of life, the deaf mute must depend upon signs, the manual alphabet, and writing; but whenever I am convinced that the happiness or the usefulness of the deaf mute is increased by articulation, or any other mode of instruction different from what we now use, I shall not be slow to adopt it.

At Washington I found the National Deaf Mute College in successful operation. This is an institution established under Government auspices, for the purpose of giving an advanced course of study to the graduates of State institutions. It is under able management, and to the President, E. M. Gallaudet, LL.D., assisted by a most excellent corps of professors, its success is mainly due. Whether our graduates will need to go so far for liberal culture will depend very much upon the facilities offered by our own State University.

From the many institutions for the blind which I visited, I derived valuable suggestions, some of which I have adopted, and others I mean to use as soon as practicable. I failed, however, to find that concert of action which prevails among Principals and teachers of the deaf and dumb, and which should characterize those engaged in a great benevolent enterprise. Much valuable individual experience, that might be utilized to the benefit of all, is now lost to the profession at large by the

want of co-operation among the various institutions. Conventions, organized in a tolerant spirit, where principles and methods of instruction could be definitely agreed upon, would do much to bring about harmony of action, and thus promote the welfare of the blind.

After purchasing the slates, philosophical apparatus, dissected maps, books in raised letter, etc., authorized by the Board, I sailed from New York on the first of August, and landed in San Francisco on the twenty-fourth, in time to open school for the fall term.

The location of the State University in our immediate vicinity is a matter of congratulation, not only because of the select and desirable neighborhood which will be built up thereby, and the consequent enhanced value of the Institution property, but because of the facilities which will thus be offered to certain of our pupils of a more advanced course of study than we feel authorized to give. The universally approved system of written examinations, now adopted by all higher institutions of learning, removes in a great degree the disabilities under which a deaf mute labors in a competitive race for academic honors; and I do not doubt that we shall be able to send students to the University who will not disgrace their preparatory school. At any rate, we shall ask no special favors in behalf of those candidates we put forward, and sincerely hope that none will be granted. If they win a diploma, let it be the evidence of that advanced and substantial culture which, we trust, will be eminently characteristic of that institution, so recently and auspiciously inaugurated.

We are glad hereby to recognize and acknowledge the courtesy and kindness we have received from the different transportation lines, in getting the pupils to and from their homes during the summer vacations. To Captain B. M. Hartshorne, of the Steam Navigation Company; ex-Governor Leland Stanford, of the Central Pacific Railroad, and Captain Charles Minturn, of the Petaluma line, our thanks are especially due. As the State makes no allowance for travelling expenses, many of our pupils would have to forego the pleasure of yearly home reunions were it not for the generous consideration of these gentlemen. We also desire to acknowledge the services, in dentistry, of Dr. R. E. Cole, who, for several years past, has relieved many a case of suffering among our pupils, at all times heightening the value of his services by the courteous manner in which he declined remuneration therefor.

The Visiting Committee of ladies has proved a very efficient aid to me, and their frequent and faithful discharge of duties has earned my gratitude. I regret most sincerely that our removal from San Francisco will necessitate an interruption of those pleasant relations that have existed for the last four years.

And now we enter upon the labors of another year with firm faith in that Divine goodness which has never failed us. With enlarged facilities for accomplishing a beneficent work, comes the sense of increased responsibility; but, with a past so full of mercies, it would be criminal to doubt the future.

Respectfully submitted,

WARRING WILKINSON,
Principal.

INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND, }
Oakland, October 1st, 1869.

TREASURER'S ACCOUNT.

EXPENDITURES.

For Groceries and Provisions.

Bacon	5 32	
Barley.....	2 60	
Barrels.....	12 00	
Bath brick	1 50	
Beans, 265 pounds.....	11 27	
Blueing	12 85	
Bread	14 75	
Buckwheat, 125 pounds.....	7 50	
Butter, 4,195 pounds.....	1,756 66	
Cake.....	6 10	
Canned fruit.....	3 55	
Capers.....	50	
Carraway.....	35	
Cassia	4 50	
Catsup.....	9 45	
Cheese, 527 pounds.....	96 60	
Cider	1 35	
Citron	1 50	
Clams.....	3 90	
Cocoa	1 50	
Codfish, 620 pounds.....	56 00	
Coffee, 586½ pounds.....	116 40	
Crackers, 1,014 pounds.....	72 80	
Cracked wheat.....	3 00	
Cream tartar.....	1 45	
Curry powder.....	50	
Dried beef, 100 pounds.....	12 50	
Dried fruit.....	34 74	
Eggs, 328 dozen.....	157 73	
Fish	94 92	
Flour, 186½ barrels.....	1,170 40	
Amount carried forward.....		\$3,681 19

EXPENDITURES—Continued.

Amount brought forward.....		\$3,681 19
Fruit.....	\$304 77	
Ginger.....	7 35	
Graham flour.....	4 05	
Ham, 405½ pounds.....	70 92	
Hops.....	7 50	
Horse radish.....	25	
Jelly.....	26 05	
Lard, 717 pounds.....	102 95	
Lemon and other extracts.....	12 23	
Mackerel, 2 kits.....	7 00	
Maccaroni.....	7 00	
Meal.....	7 05	
Meat, 24,992 pounds.....	2,520 36	
Milk.....	173 55	
Mustard.....	10 55	
Nutmegs.....	4 25	
Oat meal.....	1 70	
Oranges.....	1 25	
Oysters, 29 dozen.....	91 35	
Pearl barley.....	2 12	
Peas, 50 pounds.....	4 00	
Pepper.....	16 25	
Pepper sauce.....	1 25	
Pickles.....	42 35	
Pork, 4½ barrels.....	118 20	
Poultry.....	69 86	
Prunes.....	1 10	
Raisins.....	10 10	
Rice, 600 pounds.....	46 50	
Sage.....	2 41	
Sago.....	50	
Salid oil.....	9 10	
Saleratus.....	20	
Salt, 850 pounds.....	16 00	
Sausages.....	7 50	
Smoked beef, 409 pounds.....	60 50	
Soap, brown, 1,600 pounds.....	124 73	
Soap, castile, 120 pounds.....	24 04	
Soap, toilet.....	2 75	
Soda.....	2 24	
Spices.....	4 70	
Starch, 199 pounds.....	28 88	
Sugar, brown, 3,462 pounds.....	420 66	
Sugar, crushed, 1,055 pounds.....	167 88	
Sugar, powdered, 150 pounds.....	26 83	
Syrup, 5½ barrels.....	117 21	
Tapioca.....	86	
		4,688 85
Amount carried forward.....		\$8,370 04

EXPENDITURES—Continued.

Amount brought forward.....		\$8,370 04
Tea, 271 pounds.....	\$211 41	
Vegetables.....	979 87	
Vermicelli.....	1 50	
Vinegar, 2½ barrels.....	20 30	
Washing powder.....	75 57	
Yeast and yeast powders.....	43 75	
		1,332 40
<i>Salaries and Wages.</i>		
Principal and teachers.....	15,547 49	
Directors and Treasurer.....	1,850 00	
Physician, Matron and assistant.....	2,841 00	
Servants and service.....	3,544 96	
Foreman of shoe shop.....	1,275 00.	
		25,058 45
<i>Clothing.</i>		
Balmoral skirts, 2.....	4 50	
Batting.....	19 75	
Beeswax.....	25	
Belts.....	50	
Benzine.....	25	
Blacking and brushes.....	15 02	
Braid.....	6 75	
Buttons.....	10 35	
Calico, 70 yards.....	8 75	
Cambric, 7½ yards.....	1 67	
Coats, 5.....	27 00	
Collars.....	3 48	
Combs.....	11 45	
Corsets.....	3 00	
Cotton cloth, 99 yards.....	15 23	
Crochet needles.....	25	
Cuffs.....	1 25	
Cutting hair.....	25	
Delaine, 51 yards.....	24 00	
Drawers, two pairs.....	2 37	
Drilling, 46½ yards.....	9 25	
Elastic.....	1 30	
Flannel.....	4 45	
Girls' hats, 3.....	4 50	
Gloves.....	1 20	
Hair pins.....	30	
Handkerchiefs, 6 dozens.....	12 25	
Hats, 53.....	62 51	
Hood.....	50	
Hooks and eyes.....	1 00	
		253 33
Amount carried forward		\$35,014 22

EXPENDITURES—Continued.

Amount brought forward		\$35,014 22
Hoop skirts, 43.....	\$29 48	
Hose, 65 pairs.....	18 95	
Kentucky jean, 43½ yards	17 30	
Linen, 3½ yards.....	1 20	
Machine needles.....	1 50	
Machine oil.....	25	
Marking ink.....	65	
Muslin, 76½ yards.....	22 19	
Neck ties.....	3 50	
Needles.....	4 40	
Nets, 14.....	6 00	
Pantaloons, 7 pairs.....	37 00	
Pins.....	3 55	
Pique.....	1 00	
Plaid.....	1 12	
Ribbon.....	3 13	
Ruffling.....	1 00	
Scissors, 2.....	2 00	
Seamstress work.....	21 25	
Sewing silk.....	25	
Shawl.....	2 50	
Shirts, 49.....	71 85	
Shoes, 22 pairs.....	46 50	
Shoe strings.....	90	
Socks, 75 pairs.....	17 99	
Stockings, 8 pairs	2 36	
Suspenders, 5½ dozens.....	16 37	
Suits, 39.....	459 50	
Tape.....	50	
Thimbles.....	1 00	
Thread.....	16 45	
Tooth-brush.....	40	
Trimming.....	8 30	
Trunks, 2.....	6 50	
Undershirts, 2.....	1 98	
Worsted.....	40	
Yarn.....	50	
		829 72
<i>Furniture Account.</i>		
Bead boxes.....	3 00	
Bedsteads, 50.....	159 25	
Bed fasteners.....	50	
Bells.....	1 50	
Blankets, 23 pairs.....	124 25	
Brooms, 6½ dozens.....	25 35	
Bureaus, 4.....	22 00	
		335 85
Amount carried forward.....		\$36,179 79

EXPENDITURES—Continued.

Amount brought forward.....		\$36,179 79
Burners.....	\$1 75	
Carving knives and forks.....	10 00	
Carpet, 435 yards.....	651 45	
Castors.....	50	
Chairs, 9 dozens.....	169 50	
Chamber sets, 2.....	215 00	
Chimneys.....	24 05	
Clothes basket.....	3 50	
Clothes lines and pins.....	11 90	
Coal hods.....	7 25	
Coal screen.....	1 00	
Coffee pots, 6.....	9 75	
Colander.....	75	
Corkserew.....	50	
Crash, 218½ yards.....	27 67	
Crockery and cutlery.....	330 62	
Curtains and fixtures.....	52 75	
Damask.....	3 00	
Dining tables, 7.....	151 20	
Drugget.....	3 00	
Dusters.....	9 50	
Dust pans.....	2 50	
Enamel cloth, 10½ yards.....	5 77	
Hooks.....	1 00	
Knife sharpeners and sharpening.....	3 50	
Lamps.....	22 00	
Lamp scissors.....	75	
Lantern.....	1 50	
Locks.....	1 00	
Map boards.....	10 50	
Material for 75 hair mattresses.....	789 27	
Making do.....	37 50	
Material for 90 Excelsior mattresses.....	177 18	
Making do.....	22 50	
Matting.....	5 50	
Mattresses, hair, 5.....	106 00	
Mattresses, straw, 9.....	22 00	
Mops, 4.....	3 00	
Mouse trap.....	40	
Napkins, 3 dozen.....	9 50	
Oilcloth, 6 yards.....	7 00	
Pails.....	5 18	
Paints and varnish.....	6 25	
Parlor furniture.....	60 00	
Philosophical apparatus.....	302 15	
Pillows, 44.....	61 00	
Plating spoons and forks.....	7 45	
		3,350 04
Amount carried forward.....		\$39,529 83

EXPENDITURES—Continued.

Amount brought forward.....		\$39,529 83
Prints, 402 yards.....	\$50 28	
Quilts	12 00	
Range, boiler, etc.....	305 10	
Repairing furniture.....	62 19	
Rings.....	20	
Rubber cloth.....	8 25	
Rug	6 00	
Screws.....	85	
Scrubbing brushes.....	7 25	
Sheeting, 316 yards	76 50	
Sieve.....	50	
Slates for walls, 65.....	271 85	
Spoons.....	5 00	
Spreads, 65.....	54 36	
Step ladder.....	4 50	
Stools, 6.	3 75	
Stove blacking.....	20	
Stoves and fixtures.....	68 90	
Straw beds.....	13 50	
Table	2 50	
Tacks.....	10	
Table covers, 2.....	5 00	
Table linen.....	2 15	
Ticking, 13 yards.....	3 25	
Tinware and repairing.....	16 28	
Towels	11 70	
Washstands, 2.....	3 00	
Wooden ware.....	20 25	
		1,020 41
<i>Building and Repairs.</i>		
Bell hanging.....	4 25	
Brick, 25,000.....	367 50	
Cement, 15 barrels.....	81 50	
Cement pipes and drains.....	2,227 90	
Clothes hooks.....	50	
Door knobs.....	80	
Door springs.....	2 75	
Extra doors and putting up slates.....	308 00	
Extra flue for boiler house.....	325 00	
Glass and putty.....	40 26	
Glue	50	
Grading	1,480 00	
Hinges.....	2 39	
Hose bib.....	2 75	
Iron and manufacturing do... ..	750 20	
Iron water pipe.....	773 90	
		6,363 00
Amount carried forward.....		\$46,918 24

EXPENDITURES—Continued.

Amount brought forward.....		\$46,918 24
Lime, 21 barrels.....	\$52 50	
Locks.....	5 50	
Lumber, 3,000 feet.....	65 27	
Nails.....	5 75	
Paints and painting.....	13 75	
Plastering.....	21 00	
Plumbing.....	102 50	
Pulleys.....	75	
Raising fence.....	20 00	
Repairs.....	69 12	
Sand.....	1 25	
Screws.....	2 22	
Tacks.....	1 45	
Whitening walls.....	45 00	
Wire cloth.....	1 00	
Zinc.....	1 00	
		408 22
<i>Fuel and Lights.</i>		
Candles, 120 pounds.....	24 00	
Coal, 124½ tons.....	1,595 65	
Coal oil, 382 gallons.....	198 75	
Matches.....	10 75	
Wicks.....	7 60	
Wood, 13 cords.....	279 50	
		2,116 25
<i>Stable Account.</i>		
Axle grease.....	50	
Barley, 1,532 pounds.....	20 72	
Bran, 9,936 pounds.....	142 38	
Brush, curry comb, etc.....	4 35	
Carriage, buggy and wagon.....	925 00	
Chicken feed.....	5 55	
Harness, 3 sets.....	170 00	
Hay, 15 tons.....	283 03	
Horses, 1 span.....	375 00	
Horse keeping.....	38 50	
Oats, 2,287 pounds.....	52 61	
Robes.....	15 00	
Straw.....	1 50	
Wagon box.....	30 00	
		2,064 14
<i>Miscellaneous.</i>		
Axe.....	1 75	
Axe helvcs.....	2 30	
		4 05
Amount carried forward.....		\$51,510 90

EXPENDITURES--Continued.

Amount brought forward.....		\$51,510 90
Annals D. and D. assessment.....	\$37 50	
Books, stationery and school room supplies.....	352 11	
Blacksmithing.....	38 90	
Carpet stretcher.....	50	
Cartage.....	117 85	
Car tickets.....	94 60	
Cash to pupils.....	225 28	
Christmas expenses.....	38 65	
Copying.....	75	
Cow.....	90 00	
Drawing material.....	4 36	
Exchange.....	18 00	
Expenses of moving.....	170 75	
Expenses of legislative committee.....	29 25	
Expenses of pupils going home.....	74 00	
Express charges.....	20 50	
Faucets.....	75	
Fly poison.....	60	
Freight.....	190 41	
Funeral expenses, Eugene Bennett.....	41 25	
Flaxseed.....	25	
Hack hire.....	21 00	
Hauling supplies.....	74 19	
Horse hire for Commissioners.....	23 50	
Insurance.....	651 20	
Interest.....	102 00	
Iron.....	320 00	
Leather and findings.....	346 02	
Lithographs.....	31 25	
Material for bead work.....	35 07	
Medicines.....	214 27	
Music and strings.....	64 27	
Night work.....	90 00	
Office rent.....	255 00	
Omnibuses, laying corner stone.....	30 00	
Packing cases.....	6 75	
Photographs.....	40 00	
Pickaxe.....	1 90	
Post-office stamps and box rent.....	57 24	
Portfolios.....	7 75	
Printing.....	95 00	
Putty knife.....	40	
Rakes.....	2 25	
Receipts.....	75	
Rent.....	2,655 00	
Repairing instruments.....	2 50	
Repairing and tuning pianos.....	23 00	
		6,373 06
Amount carried forward.....		\$57,883 96

EXPENDITURES—Continued.

Amount brought forward.....		\$57,883 96
Sail hooks.....	\$ 50	
Sand paper.....	20	
Scythe stone.....	37	
Shovels.....	7 25	
Sickles.....	2 25	
Stamped envelopes.....	2 63	
Telegraphing.....	6 40	
Tools ..	12 35	
Travelling expenses.....	483 35	
Twine.....	1 15	
Violin	19 00	
Wagon for blind.....	15 00	
Water ..	510 00	
Water stand.....	2 00	
Wheelbarrows, 3.....	12 25	
Whiting	25	
Wire	25	
Wrench.....	25	
	<hr/>	1,075 40
		<hr/>
Balance due Treasurer, October 1st, 1867.....		\$58,959 36
		<hr/>
. Total.....		495 00
		<hr/>
		\$59,454 36

R E C E I P T S .

October 15th, 1867....	From State Treasurer....	\$3,633 33	
November 8th, 1867...	From State Treasurer....	1,866 67	
December 8th, 1867...	From State Treasurer....	1,866 67	
January 9th, 1868.....	From State Treasurer....	1,866 66	
February 13th, 1868...	From State Treasurer....	1,900 00	
March 9th, 1868	From State Treasurer....	1,900 00	
May 14th, 1868.....	From State Treasurer....	1,900 00	
May 30th, 1868	From State Treasurer....	2,062 50	
June 30th, 1868	From State Treasurer....	3,437 50	
October 16th, 1868....	From State Treasurer....	4,600 00	
November 19th, 1868..	From State Treasurer....	3,700 00	
November 19th, 1868..	From State Treasurer, for furniture.....	2,500 00	
December 22d, 1868...	From State Treasurer....	3,883 33	
January 12th, 1869....	From State Treasurer....	1,941 60	
February 11th, 1869 ..	From State Treasurer....	1,875 00	
March 15th, 1869.....	From State Treasurer....	1,875 00	
April 13th, 1869.....	From State Treasurer....	1,875 00	
May 15th, 1869.....	From State Treasurer....	1,833 33	
June 9th, 1869	From State Treasurer....	1,833 33	
July 8th, 1869	From State Treasurer....	1,833 34	
July 19th, 1869.....	From State Treasurer, for furniture	2,500 00	
September 14th, 1869.	From State Treasurer....	7,416 66	
September 30th, 1869.	From State Treasurer....	3,708 83	
			\$61,808 25
	From pupils, for clothing, etc	1,205 92	
	From pay pupils.....	441 00	
	From sales of beadwork..	72 75	
	From sale of two cows...	100 00	
	From custom work in shop.....	151 23	
	From sale of old pulu....	60 00	
	From insurance on dam- aged slates.....	20 40	
	From sale of bags, and miscellaneous sources..	188 47	
			2,233 77
	Total receipts.....		\$64,042 02
	Total expenditures.....		59,454 36
	Balance in hands of Treasurer, Octo- ber 1st, 1869		\$4,587 66

J. A. BENTON, Treasurer.

STATE OF CALIFORNIA,
City and County of San Francisco. } ss.

Subscribed and sworn to December fourth, A. D. eighteen hundred and
sixty-nine, before me.

W. H. CHEVERS, Notary Public.

LIST OF PUPILS IN THE INSTITUTION

Since October 1st, 1867.

DEAF AND DUMB.

MALES.

Names.	Towns.	Counties.
Aronsohn, Martin.....	San Francisco.....	San Francisco
Bateman, Wilber	Monterey	Monterey
Bently, John W	Albany	Linn, Oregon
Blish, Preston.....	San Francisco	San Francisco
Butler, Millard F	Marysville	Yuba
Colby, Edwin.....	Stony Point.....	Sonoma
Craig, William C.....	Nevada City	Nevada
De Rutte, Theophilus	San Francisco	San Francisco
Gayon, Marcelin.	Stockton	San Joaquin
Gibert, Hippolite	Mariposa.....	Mariposa
Harlan, James C	Yuba	Sutter
Hill, Mahlon S	San José.....	Santa Clara
Hill, Eldridge B.....	San José.....	Santa Clara
Holding, John A.....	Stockton	San Joaquin
Hull, Frank.....	Hicksville	Sacramento
Ide, L. H. C.....	San Francisco.....	San Francisco
Krautz, Louis.....	San Francisco	San Francisco
Larue, John	Peoria.....	Linn, Oregon
Markham, Columbia	Suisun	Solano
McKail, James, Jr	Sacramento	Sacramento
Murphy, Preston	Napa	Napa
Musgrave, James R....	Point Arenas.....	Mendocino
Nichols, Henry	Pacheco.	Contra Costa
Phillips, William M.....	Yreka	Siskiyou
Robison, John W	San Francisco.....	San Francisco
Sanderoock, Thomas Y.....	Napa.....	Napa
Santa Cruz, José.....	San Francisco.....	San Francisco
Shattuck, Frank B	San Francisco.	San Francisco
Slater, George	Placerville	El Dorado
Smith, Charles.....	Georgetown.....	El Dorado
Thomas, Anthony R....	Sacramento	Sacramento
Tilden, Douglas.....	Chico	Butte
Willets, Joshua M	San Francisco.....	San Francisco
Willsie, Joseph F.....	San Rafael	Marin
Wright, Albert H.....	Oakland	Alameda

DEAF AND DUMB—Continued.

FEMALES.

Names.	Towns.	Counties.
Aronsohn, Caroline	San Francisco.....	San Francisco
Brown, Harriet P.....	Virginia City .....	... Storey, Nev
Badger, Harriet F.	Sacramento.....	... Sacramento
Conlter, Dora N.....	Summit .....	..... Plumas
Douglas, Coroline.....	Visalia .....	..... Tulare
Hard, Amy E.....	Antioch .....	.. Contra Costa
Kerby, Mary.....	Summit .....	..... Plumas
King, Eliza A	Oakland .....	..... Alameda
Lucas, Maggie.....	Woodland .....	..... Yolo
May, America.....	Petaluma .....	..... Sonoma
May, Anna.....	Petaluma .....	..... Sonoma
McKail, Mary.....	Sacramento.....	... Sacramento
McTigne, Augusta.....	San Francisco.....	San Francisco
Nolan, Mary	San Francisco.....	San Francisco
Roesler, Armie Katrina.....	San Francisco.....	San Francisco
Rogers, Mary Adella.....	Woodland.....	..... Yolo
Sandercock, Catherine.....	Napa.....	..... Napa
Shirley, Evadne.....	Stockton.....	... San Joaquin
Street, Catherine	Visalia .....	..... Tulare
Theobald, Catherine.....	Sheldon .....	... Sacramento
Uhl, Anna Margaret.....	San Francisco.....	San Francisco
Warren, Anna.....	Monterey.....	..... Monterey
Wills, Mary Louisa.....	La Fayette .....	.. Contra Costa
Wertheimer, Susan.....	San Francisco.....	San Francisco
Wright, Mary	San Francisco.....	San Francisco

BLIND.

MALES.

Names.	Towns.	Counties.
Andrews, Luke.....	Woodland	Yolo
Bennet, Eugene.....	Fremont.....	Yolo
Briggs, Eugene A	Visalia	Tulare
Butterfield, L. S.....	San Francisco.....	San Francisco
Davis, Louis.....	San José.....	Santa Clara
Hanley, J. Edward.....	Oakland	Alameda
Jackson, Stephen.....	Sacramento.....	Sacramento
Joice, James.....	.....	San L. Obispo
Jones, Chas. J.....	Grass Valley	Nevada
Knoblock, Charles.....	San Francisco.....	San Francisco
Lerch, Charles.....	San Francisco.....	San Francisco
Lerch, Emilie.....	San Francisco.....	San Francisco
Melarkie, John	Smartsville	Yuba
Miller, Peter	Dry Creek.....	Yuba
Orth, Louis.....	Sacramento.....	Sacramento
Pleasants, Charles	Salem.....	Oregon
Smith, William H.....	Santa Cruz.....	Santa Cruz
Sullivan, Dennis.....	San Francisco.....	San Francisco
Thresher, Prescott B	Hamilton.....	Butte

FEMALES.

Names.	Towns.	Counties.
Aitken, Maggie.....	Benicia..	Solano
Baily, Daisy A	San Francisco.....	San Francisco
Brissell, Anna M	Sacramento.....	Sacramento
Borgwardt, Mary A.....	Kelsey	El Dorado
Dunning, Alice.....	Watsonville.....	Santa Cruz
Fennell, Anna.....	San Francisco.....	San Francisco
Hall, Anna Bell.....	Healdsburg.....	Sonoma
Heryford, Missouri A	Lincoln.....	Placer
Jenkins, Isabella	San Francisco.....	San Francisco
Keener, Sarah M.....	Visalia.....	Tulare
Kelly, Eloise.....	Marysville.....	Yuba
Klink, Maggie.....	Windsor.....	Sonoma
Le May, Ellen.....	Santa Rosa	Sonoma
Lovell, Laura.....	San José.....	Santa Clara
Miles, Mary E.....	Rio Vista..	Solano
Moran, Mary E.....	San Francisco.....	San Francisco
Taft, Sophia A.....	San Francisco.....	San Francisco

SUMMARY.

DEAF AND DUMB.		
Males	35	
Females	25	
		60
BLIND.		
Males	19	
Females	17	
		36
Total.....		96

REPORT OF COMMITTEE OF EXAMINATION FOR 1869.

DEAF MUTE DEPARTMENT.

To the Board of Directors of the California Institution for the Deaf and Dumb and the Blind :

GENTLEMEN : The committee invited to attend the annual examination of the deaf and dumb at the Institution, June seventh, were gratified to accept their appointment, and would submit the following observations concerning the exercises upon which they attended :

They were first introduced to the third grade of the third class, comprising three pupils. These pupils have been under instruction nearly one year. Their average age is six years. They have gone through with thirty lessons of Dr. Peet's Elementary Book. Their teacher is Henry Frank, a deaf mute, and a graduate of the New York Institution for the Deaf and Dumb.

They wrote their names legibly, their age, their residence, and quite a vocabulary of words from signs. They gave correctly, from signs, the adjectives of color, and prefixed them to appropriate objects. They also wrote brief sentences upon such verbs as *see, love, hate, have*, etc., as *e. g.* : "I *have* boots ;" "I *love* father ;" "I *hate* snakes."

The second grade of this class, comprising four pupils, were exercised in writing simple sentences, of a more advanced character than those first specified. Their vocabulary was more full and they showed themselves at home in the structure of idioms requiring the use of possessive pronouns and of prepositions.

The first grade of the third class comprised eight pupils. They have been under instruction for about two years. They have studied over two hundred lessons of Dr. Peet's book and several sections of the "Scripture lessons." They gave correctly, from signs, a long list of irregular plurals, such as : "an ox—oxen ;" "a tooth—teeth ;" "a calf—calves." They composed, rapidly and easily, sentences descriptive of actions performed before their sight, as *e. g.* : "A girl is sitting on a desk ;" "Prof. W. is writing on the blackboard." And from signs, such sentences as : "A cat sees a bird on a tree ; she catches it ;" "A boy takes his gun ; he sees a squirrel on a tree ; he shoots the squirrel ; it falls to the ground."

They answered such questions as these: "Who made the flowers?" "God made the flowers; God made the roses; God gives the flowers." "Have you a soul?" "Yes, I have a soul." "Will it die?" "My soul will never die." "Will your body die?" "My body will die." "Where will your soul go when your body dies?" "My soul will go to Heaven if I am good."

The second class is composed of sixteen pupils, divided into two grades, and taught by a deaf mute, Henry B. Crandall, a graduate of the New York Institution. A part of this class have been under instruction about two years and a part about three.

The pupils of the second grade showed their ability to translate, from the signs of their teacher, such descriptive sentences as these: "A man saw a bird on a tree. He shot it. It fell down. He carried it to his house." "A boy went to the bay. He saw a boat on the bay. He got into it. He rowed away."

They answered, also, some familiar questions in natural history.

Those of the first grade gave correctly, and in good English, many geographical definitions from written questions. "What is the shape of the earth?" "The earth resembles an orange or a ball." "We live on the outside of the earth." They also answered readily and without error many questions in the history of the United States.

This class had paid some attention to drawing, and the specimens exhibited to the committee showed a very creditable proficiency, and in some instances a very decided taste for the art.

The first class, consisting of twelve pupils, was also divided into two grades. They have been taught by A. Pratt, A. M.

They were thoroughly tested in the studies which they have pursued, and gave their answers with great intelligence and accuracy.

In history the second grade were assigned such themes as "The Battle of Monmouth," "Fernando De Soto," "Henry Hudson," "Columbus," "Battle of Bunker Hill," "Roger Williams," etc., and the first grade the following: "Cataline's Conspiracy," "General Sketch of Rome," "Second Punic War," "Hannibal," "Regulus," "Battle of Lexington," and wrote upon them with sufficient fullness and without historical mistakes.

In geography they bounded States and kingdoms, sketched leading geographical features, gave the rise and flow of rivers, the distribution of mines, comparative height of mountains, etc., etc.

In arithmetic they wrought out complicated problems in fractions with perfect facility.

The pupils in physical geography gave a full synopsis of the departments and scope of this study, and answered questions upon details of the science without embarrassment or error.

A very interesting examination, conducted by Dr. Gibbons, in anatomy and physiology, showed the pupils quite at home amid the mysteries of the human frame, and well able to explain the phenomena of physical life.

The committee were shown specimens of drawing executed by this class, not a few of which would grace the boudoir of a family home.

The trade of shoemaking, the only trade taught in the Institution, seems to have been successfully mastered by not a few of the boys, as the specimens of their craft presented to the committee clearly evinced.

The whole aspect of the inmates of the Institution was orderly, cheerful and contented. The recitations were none of them parrot-like, but taking a wide range, and quite subject to suggestions from the committee, were a fair and satisfactory test of the real progress of the pupils.

The committee are abundantly satisfied that the Institution is doing a noble work, that the pupils are carefully and thoroughly taught, and that the hope may be reasonably entertained that they will come forth from the privileges which they enjoy, not to be dependent on private or public charity, but to earn their own livelihood, and to enjoy social intercourse with their friends and the community.

The special point in their education, the demand at once most imperative and most difficult, is that they acquire the ability to communicate with other minds through the use of written language. Then the way is open for them, not only to useful associations, but to the whole range of written literature in the English tongue. Learning the idioms of our common speech, without ever giving a thought to the study of them, simply by the hearing of the ear, few of us are aware by what a slow and laborious process the deaf mute reaches even a low facility and intelligence in the use of such idioms. On this point, it appears to the committee that the Faculty of this Institution appreciate the chief burden of their functions, and wisely, faithfully and successfully meet its demands.

A. L. STONE,
T. H. HOLT.

BLIND DEPARTMENT.

The undersigned was present on Monday, the seventh instant, at the annual examination of the blind pupils in the State Institution for the Deaf and Dumb and the Blind. I found them well classified, the grades being but two or, in some studies, three. The higher class was under the special charge of Mr. C. T. Wilkinson, and the primary under that of Miss Louisa Bowden. At every stage of the examination, which was thorough and protracted, and, at the request of the teachers, conducted for the most part by the examiners themselves, the evidences of skilful and most faithful labor on the part of those teachers abounded. In history and grammar and physiology, the absence of text books in raised letters required that the instruction be wholly oral. In geography, arithmetic and geometry, assistance was gained from raised maps and diagrams, and from slates ingeniously contrived; but in these branches, also, the absence of text books suited to the blind must have greatly increased the labor of instruction. That labor, however, having been rendered, and the instruction received, it was easy to see that the pupils were the gainers by the very inconveniences which they had experienced, for the mental training it involved will prove to be just of that sort most useful to them hereafter.

Notwithstanding these hindrances, the pupils have advanced quite rapidly, and sustained an examination which would be creditable to any school. Evidently they have been trained to think; to grasp principles, and to recite nothing in parrot like iterations. In ancient history, topics selected by the examiners were treated extemporaneously by several of the pupils, with remarkable accuracy and fullness of detail. Among these topics were Egypt, Solon, Regulus, Scipio. I was gratified at the fluency and correctness, both in enunciation and emphasis, which characterized the reading of the more advanced pupils, and at the legibility, even to an unpracticed eye, of their chirography.

As a device for inspiring and cultivating a literary taste in those whose

range of reading must be so very limited, a memorizing exercise has been sustained with evident good effect. Several selections made for this purpose were recited before us.

Nearly all, perhaps quite all the blind in the Institution, are members of the class in music, which is taught by Mr. M. B. Clark, himself partly blind, and instructed at such an institution as this. The difficulties involved in giving genuine instruction and in developing a real musical culture without the aid of sight, are far more easily understood than are Mr. Clark's method of overcoming them. But the results were evident, and considering the short time during which he has had charge of the class, are really wonderful.

Having said thus much, I need not add that I was gratified by all that I saw or heard. Of course the usual diversities appeared in native capacity, in disposition to attend and study, and in consequent improvement. But you have abundant reason to be satisfied with the work which has been done, and the blind, and we, on their behalf, to be grateful for so genial a home and so excellent advantages as are here afforded them.

Respectfully submitted,

WM. C. POND.

TERMS OF ADMISSION.

The California State Institution for the Deaf and Dumb and the Blind is located about four miles north of the City of Oakland. Between San Francisco and Oakland a steam ferry plies almost every hour in the day, and from the latter city a horse railroad is now building, which, when completed, will land passengers within easy walking distance of the Institution.

I. The Institution offers its benefits to all deaf and dumb or blind persons, between the ages of six and twenty-five years, who are of sound intellect and free from vicious habits, and contagious or offensive diseases.

II. No charge is made for pupils from this State, except for clothing and travelling expenses.

III. Pupils from other States or Territories are charged three hundred dollars per annum, payable quarterly in advance. No deduction is made from annual charge, on any account, except in cases of prolonged sickness.

IV. The session begins on the third Wednesday of August and closes the second Wednesday of June. Parents are urgently requested to enter or return their children promptly at the beginning of the term. Only in extreme cases will the pupils be permitted to leave before school closes.

V. Pupils should be provided with comfortable clothing when they enter the Institution, and their wardrobe renewed twice a year.

VI. All moneys designed for pupils should be placed in the hands of the Principal, to whom, also, all letters of inquiry, etc., should be addressed.

Parents or guardians of applicants for admission are requested to furnish written answers to the following questions :

1. What is the name of the applicant ?
2. When and where was he born ?
3. Is his deafness or blindness from birth ; or is it from accident or disease ? If so, at what age and from what cause did he become so ?
4. Is his deafness or blindness total or partial ? If the latter, what is the degree of hearing or sight ?

5. Have any attempts been made to remove his deafness or blindness; and if so, what are the results?

6. Are there any other cases of deafness, blindness, insanity or idiocy in the same family, or among the collateral branches of kindred? If so, how and when produced?

7. Was there any relation between parents or grandparents before marriage?

8. What is the difference of ages between parents?

9. Has the child had the small-pox, scarlet fever, measles, mumps, whooping cough? Has he been vaccinated?

10. What are the names, occupation, residence and Post-office address of his parents?

11. What are the number and names of their children?

REPORT OF THE COMMISSIONERS.

REPORT.

To His Excellency,
H. H. HAIGHT,
Governor of California:

SIR: The Commissioners of the Deaf, Dumb and Blind Institution have, at length, the privilege of presenting their final report. They were appointed in eighteen hundred and sixty-six, and reported progress in eighteen hundred and sixty-seven. They were re-appointed, that they might finish their work, in eighteen hundred and sixty-eight. At the time of their re-appointment it was supposed that they would be able to complete their labor, and make a final report in April, eighteen hundred and sixty-nine, and they were directed to do so.

But causes of delay unforeseen, and particularly the occurrence of the severe earthquake of October, eighteen hundred and sixty-eight, prevented the completion of the new edifice in the spring of eighteen hundred and sixty-nine, and even until the last month of the autumn. Now, however, after the labor of three and a half years, they have the pleasure of reporting that the new edifice is substantially finished, is occupied by the officers, teachers and pupils of the Institution, and that they are allowed to lay down their office.

The Commissioners were originally appointed to secure a new site, dispose of the former grounds and buildings by sale, and erect a new edifice for the Institution, adequate to the wants of the coming years. They entered on the work assigned them with the determination of selecting a site, as nearly as possible, faultless. And during the first ten months after their appointment, they spent days and weeks in visiting and viewing the various eligible locations offered them, or otherwise pointed out to them. In the month of February, eighteen hundred and sixty-seven, they concluded the purchase of a tract of land situated in the northerly part of the Township of Oakland, Alameda County, containing one hundred and thirty acres, ninety acres of the same being hill land and forty acres of it nearly level land. At a joint meeting with the Board of Directors, according to the provisions of the law, the Institution was duly located upon this land on the first day of April, eighteen hundred and sixty-seven.

Plans for a new edifice were advertised for and examined; and, in the

month of May, one designed by Wright and Sanders was adopted. In due time bids were called for from those proposing to erect the contemplated new edifice, in whole or in part; and the contract for doing the mason work and furnishing all the necessary materials of the same, for a structure of stone, was awarded to J. S. Emery, of Oakland, in the month of July, eighteen hundred and sixty-seven, and the contract for doing all the rest of the work upon the main edifice was awarded to John J. Meeredy, of San Francisco, in the month of August. The price to be paid J. S. Emery was originally fifty-three thousand dollars, which was increased to sixty thousand, in consideration of the use of blue stone instead of brown or gray; and the price to be paid J. J. Meeredy was fifty-two thousand dollars. By a subsequent agreement J. J. Meeredy was awarded a contract for building the exterior lavatories, at the angles of the main edifice, for the further sum of eight thousand six hundred dollars.

The corner stone of the new building was laid in the presence of the Commissioners and a fine concourse of people, with suitable public ceremonies, by Governor Low, on the twenty-sixth of September, eighteen hundred and sixty-seven. The succeeding winter was a very stormy one, and compelled the suspension of all exterior work upon the new structure for many long weeks, and destroyed all hope of its completion within the twelve months originally agreed upon, as approximating the time when it might be ready for occupation.

At the time of the occurrence of the great earthquake, in October, eighteen hundred and sixty-eight, the exterior of the new building was finished, except the roofing in of one part. The violence of the shock threw down the beautiful stone chimneys of every part, and caused the high gable peaks of the unroofed part of the building to topple over, the mortar being yet green, and the peaks not steadied by roofing; and these, in falling, crushed much work below, and effected a very considerable damage. For such and so unexpected a visitation no provision had been made. Before any could be made, and work resumed, many days elapsed; and it afterward required the labor of weeks to make the necessary repairs, and bring the structure back to the condition in which it was at the time just prior to the occurrence of the earthquake.

While the Commissioners, after consultation with the Governor and the Attorney-General of the State, were of the opinion that, in a strictly legal sense, the losses occasioned by the earthquake would fall upon the contractors, though they were not entirely clear upon the matter, they yet deemed it such a hardship upon the contractors, as not to demand of them any attempts to coerce the contractors into the making of the needed repairs at their own expense, had it been legally practicable to do so. They therefore resolved to borrow such a sum of money, upon the good faith and credit of the State of California, as might be requisite, and themselves make the necessary repairs of the damage caused by the earthquake. Accordingly the sum of nine thousand dollars was borrowed of the Bank of British North America, to pay for the labor and materials required in repairing the earthquake damages, and restoring the building to the contractors. Of all the labor and materials thus required a strict account was kept by those who were solely in the employ of the Commissioners. For a speedy appropriation, to be made to the Directors of the Institution, for the payment of the nine thousand dollars borrowed to make these repairs, your Commissioners most earnestly make request.

Apart from the repairing of the damages caused by the earthquake, it

will appear from the accompanying report of the Treasurer of the Commissioners that but a few small sums of money have been needed for what are known as "extras." In the main, and notwithstanding many delays and unforeseen embarrassments, the contractors have finished their contracts and faithfully performed their obligations. The building does them credit. But, in consequence of a severe winter, unusual difficulties and delays, the rise in the cost of materials, the occurrence of the earthquake, and especially in consequence of the enhanced price of labor, resulting from the exactment of the eight hour law, both of the contractors have met with considerable losses in the fulfilment of their contracts; and your Commissioners feel bound to recommend them and their claims to the just consideration and liberal relief of the State. The hardships and embarrassments arising from these causes have fallen with special weight upon J. J. McCreedy, the contractor for doing all but the mason work upon the new edifice, and the Commissioners regard him as entitled, for the sake of himself and his creditors, many of whom are poor men, to the careful consideration and generous relief of this great State.

The building and lands, such as they are, and as they are, the Commissioners now desire to turn over to the State, if it will accept their work and discharge them from this special office. They ask the appointment of committees to visit the Institution and examine their work, and inquire into all their proceedings. No one can appreciate what they have accomplished until he has been on the ground and seen for himself. At the outset, the Commissioners themselves had an inadequate idea of the greatness of the task they had undertaken. Nevertheless, their work, in spite of all untoward events, has been prospered. The building and lands, as they now are, have cost the State, through the Commissioners, one hundred and fifty-eight thousand ninety-eight dollars and thirty cents; and, over and above the value, at sale of the former buildings and grounds, one hundred and twenty-four thousand dollars. In the opinion of good judges, the property at this time is worth not less than a quarter of a million of dollars, and, at all events, is worth much more than it has cost. In architectural appearance and in interior arrangements, there are few, if any, buildings in the country which surpass this in adaptation to its special uses. The ample and beautiful spring of water which, by natural pressure, supplies the entire edifice from bottom to top, is a special feature of this establishment. A fine outlook, a fertile soil, a healthful climate, and an abundance of land for culture and for pasturage, complete the mention of the chief features of the State's new property in this Institution. The facilities of the Institution are now enlarged. It is made capable of an almost wonderful expansion. In the years of the hereafter, it can be enlarged to a double capacity at a very small expense. The Commissioners are disposed to congratulate themselves and the State upon what they have been able to accomplish. They are, in general, pleased with their work, and they retire from the Commission with the proud consciousness of having done the State an honorable and good service.

Respectfully submitted,

IRA P. RANKIN,
A. W. SAXE,
WM. SHERMAN,
J. A. BENTON,
Commissioners.

TREASURER'S REPORT.

To His Excellency,
H. H. HAIGHT,
Governor of California:

The undersigned, Treasurer of the Commissioners of the Deaf, Dumb and Blind Institution, has the honor to report that there have been received into the treasury of the Commission, in all, one hundred and fifty-eight thousand ninety-eight dollars and thirty cents (\$158,098 30), from the following sources, viz:

From State treasury (appropriation of 1866)	\$50,000 00
From State treasury (appropriation of 1868).....	65,000 00
From sale of former grounds and buildings in San Francisco, \$35,280—less expense of sale, \$1,181 70—net	34,098 30
From cash borrowed of Bank of British North America, for earthquake repairs.....	9,000 00
Total receipts	\$158,098 30

The expenditures of the Commission have been, in all, one hundred and fifty-eight thousand ninety-eight dollars and thirty cents (\$158,098 30), distributed as follows, viz:

Paid for search of land titles	\$75 00	
Paid for surveys of land.....	120 00	
Paid J. Kearney, purchase money.....	12,100 00	
Paid for Kate Hayes' guaranty.....	500 00	
Paid for recording papers.....	14 80	
Paid attorney's fees.....	500 00	
Paid for search after stone quarry.....	50 00	
Expenses in connection with land.....		\$13,359 80
Amount carried forward.....		\$13,359 80

EXPENDITURES—Continued.

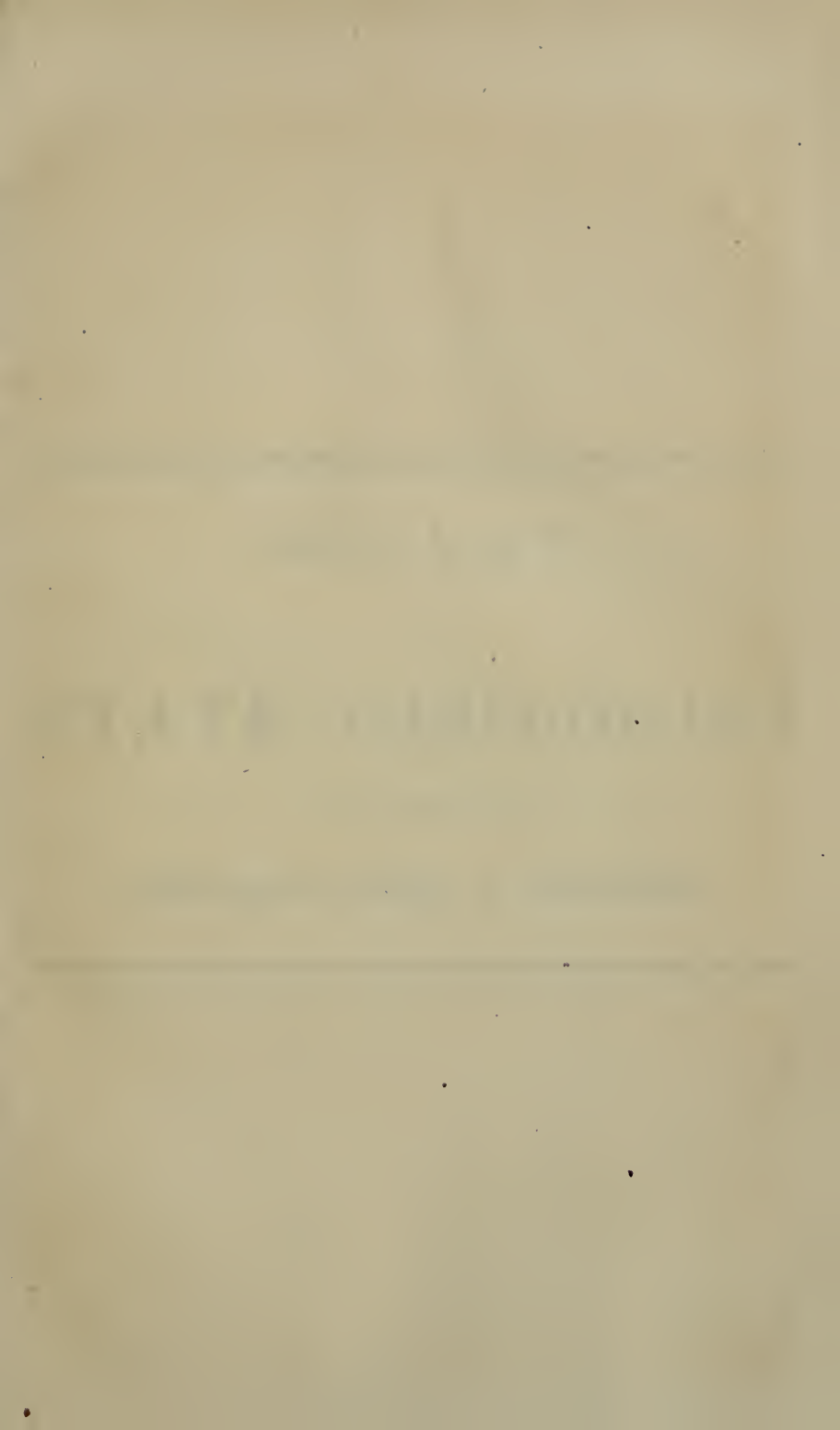
Amount brought forward		\$13,359 80
Paid for office rents.....	\$577 50	
Paid for printing and stationery.....	151 40	
Paid for advertising.....	195 00	
Paid for various travelling expenses.....	958 10	
Paid for services of Treasurer.....	1,750 00	
Paid for services of notaries.....	18 00	
<hr/>		
Total expenses of Commissioners.....		3,650 00
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Paid J. S. Emery, regular contract	\$60,000 00	
Paid J. J. Meeredy, regular contract.....	52,000 00	
Paid J. J. Meeredy, building lavatories	8,600 00	
Paid for superintendence of the works.....	3,900 00	
Paid premiums to architects.....	600 00	
Paid architects of the building.....	3,950 00	
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Total expenditures on regular contracts, etc.....		129,050 50
<hr/>		
Paid for extra piers in the courts.....	\$1,800 00	
Paid for extra sills, pipes and painting.....	325 00	
Paid Donohoe, Kelley & Co., for interest.....	455 75	
Paid several small extras.....	457 75	
<hr/>		
Total for extra expenses		3,038 50
<hr/>		
Paid J. S. Emery for earthquake repairs.....	\$3,337 16	
Paid J. J. Meeredy, earthquake repairs	3,396 86	
Paid J. Kehoe, earthquake repairs.....	1,228 00	
Paid, and to be paid, Bank of British North America, interest.....	1,000 00	
<hr/>		
Total for earthquake repairs.....		9,000 00
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Grand total of expenditures.....		\$158,098 30

J. A. BENTON,
Treasurer.

STATE OF CALIFORNIA, }
City and County of San Francisco. } ss.

Subscribed and sworn to before me, December fourth, A. D. eighteen
hundred and sixty-nine.

W. H. CHEVERS,
Notary Public.



R E P O R T

OF THE

S T A T E G E O L O G I S T

ON THE CONDITION OF THE

GEOLOGICAL SURVEY OF CALIFORNIA.

D. W. GELWICKS, STATE PRINTER.

REPORT.

SAN FRANCISCO, November 15th, 1869.

To His Excellency,
H. H. HAIGHT,
Governor of California:

SIR: In an official letter, addressed to your predecessor, Governor F. F. Low, and dated November twenty-fifth, eighteen hundred and sixty-seven, and which has been published among the State documents, I gave a full and comprehensive statement of the progress of the geological survey of California during the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven, and of its condition at the time of the meeting of the last Legislature. To that document I would respectfully refer you for information as to our work and our financial condition two years ago. In the succeeding January, I was invited to address the Legislature on the subject of the geological survey, and I did so. A copy of this address, in printed form, is herewith laid before you, with which, for convenience, copies of my two last official letters to the Governor have been bound up. An examination of this pamphlet will enable you to trace the progress of the survey during the four years previous to your entering upon the duties of your office, and also to learn by what arguments I endeavored to convince the Legislature of the propriety of continuing the geological survey. My efforts in this respect were not entirely without effect, for committees on the part of the Assembly and Senate visited our office and made an examination of our collections and publications. The committee of the Assembly made an unanimous report in favor of the continuance of the survey, and recommended an appropriation for that purpose; the committee of the Senate, so far as I have been able to learn, made no report of their doings. The State Geologist also appeared before the Senate Committee of Finance, and presented his accounts and vouchers, which were examined and approved. Owing to various circumstances, however, on which it is not necessary to enlarge at the present time, no definite action was had by the Legislature in reference to the survey, a bill authorizing its continuance having failed to pass the Senate, and another one, making an appropriation to pay the outstanding debts of the survey and authorizing the

Executive to take possession of the property in the hands of the State Geologist, meeting with the same fate. The State Geologist had, during the session, continued the work of the survey on a small scale, relying for the continuance of the appropriations on the favorable and unanimous report of the Assembly committee, and because it could not be stopped without great loss and inconvenience in case its renewal should afterwards have been authorized. In this way the deficit, which had been about eight thousand five hundred dollars, at the close of the year eighteen hundred and sixty-seven, had been increased to about eleven thousand five hundred dollars at the termination of the session of the Legislature, at which time the field work was entirely suspended, leaving, however, the work of publication still progressing, and the valuable collections unprovided for.

- At the time of the adjournment of the last Legislature, the work of the survey had been going on uninterruptedly for a little over seven years. There had been appropriated for its support the sum of one hundred and twenty-five thousand six hundred dollars, and the manner in which this had been expended had been made known to each Legislature, not only by special reports on this subject from the State Geologist, but by others from committees appointed for the purpose. At every session, a joint committee of the Senate and Assembly had visited the office of the survey, made a personal examination of the work done and doing, and in every case their reports had been favorable to its continuance. Five successive Legislatures had passed upon the survey and made appropriations for its continuance; and, although the sums voted had been less than was required for a rapid prosecution of the work, yet, with economy, the amount and value of the results attained had been such as to call forth the warmest ecomiums from eminent scientific authorities, both in the Eastern States and in Europe. Five volumes of the reports were in process of publication, and two more were in preparation. Two had already been published, besides one large map and several smaller works in pamphlet form. Eminent men were employed in different parts of the country in preparing for publication the materials placed in their hands, while engravers and lithographers were at work on maps and other illustrations for the different volumes, no pains having been spared to make them in all respects worthy of a State of great and varied resources.

The adjournment of the Legislature, without having taken any definite action in regard to the continuance of the survey, left the whole of this work in the hands of the State Geologist, who had entered into various contracts for printing and engraving, and for preparation of materials for the press, and who was personally responsible for the payments required for work already done or in progress.

The question then arose, whether the State Geologist should stop all this work, making such arrangements as should insure the least pecuniary loss to himself, throwing up the survey and abandoning it forever, leaving the materials scattered over the country; or whether, on the other hand, he should endeavor to carry on the work of publication at his own risk and expense, so that the results of eight years of labor should not be lost to the State and the scientific world, and that another Legislature might have an opportunity of passing upon the question of the resumption of the field work and the completion of the survey according to its original plan, or, at least, of winding it up in a business like and honorable manner, and with the least possible loss of materials

collected with so much expense, and pronounced valuable by the highest scientific authorities.

The State Geologist, in view of the facts and considerations above presented, and trusting to a future Legislature to indorse his course, or, in default of such indorsement, to the scientific world to appreciate and justify his position, concluded to assume the risk and responsibility of continuing the publications of the survey, so far as the same could not be suspended without manifest serious loss. In accordance with this resolution, the following work has been accomplished during the past year and a half:

The second volume of the paleontology, with three hundred and fourteen pages of text and thirty-six lithographic plates, uniform in style and appearance with the other volumes of the survey reports, has been published. It contains descriptions of the marine invertebrate fossils of the tertiary age which have been discovered in this State, and such additions as have been made to the cretaceous paleontology since the publication of the first volume, thus completing our work in this department of the survey, so far as the newer rocks are concerned, and for the marine invertebrate fossils. Should the opportunity be given, another volume will be issued, devoted to the extremely interesting land animals and plants which have been found entombed beneath the rocks, and form the organic bodies of microscopic size which play so important a part in the geology of California.

By section five of the Act of the Legislature accepting the grant of the Yosemite Valley and of the Mariposa Grove of Big Trees, the State Geologist was authorized to prepare and issue a description of the region thus granted, and of its surroundings, which should serve as a guide book for travellers, and which should be accompanied with accurate maps, such as could only be prepared under State authority and with considerable expenditure of time and money.

Such a guide book has been issued by the State Geologist in two distinct editions—one called the "Yosemite Book" is in quarto form and illustrated by twenty-eight fine photographs; the other is in octavo, and contains a selection of the finest wood-cuts from "Geology, Vol. I" of our series. Both editions have the same maps; these are two in number, and they exhibit the topography of the Yosemite Valley and of that portion of the Sierra which is adjacent to it, being the first accurate maps of any high mountain region ever published in this country. The octavo edition is called the "Yosemite Guide Book." No pains or expense have been spared to make these volumes as attractive as possible, and they have been pronounced by good authorities the handsomest volumes ever issued from the American press. The statistical information embodied in the guide book is full and reliable, being almost exclusively the work of the survey, as fully detailed in the last letter of the State Geologist to the Governor, giving an account of the explorations made in the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven, and in the volume itself. Only two hundred and fifty copies of the Yosemite book were issued; but of the guide book the text is electrotyped.

The map of the vicinity of the Bay of San Francisco, mentioned in the last official communication of the State Geologist as being nearly completed, arrived soon after and is now on sale. The first edition having been all sold, a second one was prepared, in which all the changes in the official boundaries of the ranches, which had been made since the completion of the original map in eighteen hundred and sixty-three,

were introduced. The alterations rendered necessary by changes in the county boundaries, by the building of railroads, and by additional settlements and towns, were also made, and the new edition brought up to the present time with the greatest care. No city in the Union now possesses a more accurate or more elegantly engraved map of its surroundings than does the metropolis of the Pacific coast.

The finished sheet of the map of central California, comprising the southwest quarter of that great geographical work, on which so much labor has been expended, is now in the engravers' hands. A proof may be expected before the adjournment of the Legislature. The four sheets of the "Central California Map" embrace an area of about eighty thousand square miles, on which fully ninety-five per cent. of the population is residing. For a full description of this map the last official letter of the State Geologist may be referred to. It is hardly possible to believe that the Legislature will refuse to sanction the completion of a work of so much value, on which so much time and labor has been expended.

The work on the birds of California has been progressing without interruption since the adjournment of the Legislature, and the first volume is now electrotyped and ready to be placed upon the press. It contains about six hundred pages, and is illustrated by several hundred wood-cuts, consisting of a full length figure of one species of each genus, with a diagram illustration of the details of its external anatomy, and a full sized figure of the head of each species, the latter intended to be carefully colored in the text. These illustrations are believed to equal, if not excel, in accuracy and beauty, anything of the kind yet published. The cuts for the second volume are all drawn, and a considerable portion of them have been engraved, and the work on them is advancing rapidly, so that the electrotyping of the volume can be begun without delay, in case of favorable action on the part of the Legislature. The first volume of the ornithological series comprises the land birds of the Pacific side of the continent, and the second volume is intended to embrace the water birds of the whole United States; a third volume will be added, which will contain the land birds of the Eastern States, so that the whole series will form a complete manual of the ornithology of North America, and will be the standard work on this subject for a long time to come. The above indicated arrangement was made, after careful inquiry, and with the advice of the leading ornithologists of the country, as the one best adapted to meet the wants of the public, and to insure to the State the largest possible sale for the volumes published at its expense. The volume devoted to the land birds of the Eastern States will be uniform in style and plan with the others; but will not be issued at the expense of the State of California. An examination of the samples of the work, including both typography and illustration, will show how well adapted they are to furnish a scientifically and practically valuable treatise in this department. It will place in the hands of the public the means of identifying any bird that may be met with, in any part of the country.

Work has been suspended during the past two years on the volume devoted to the fishes of California. The illustrations are engraved in part, and can be taken up and completed whenever the necessary means are forthcoming.

The above list comprises all the volumes which are in actual progress of publication, or on which the mechanical work of illustration or printing has been commenced. A few words may be added in regard to volumes of which the manuscript is in preparation.

The volume of conchology, to be edited by Professor Carpenter, from materials collected by our survey, by the Smithsonian Institute and from various other sources, remains as it was at the adjournment of the last Legislature. Nothing has been done towards preparing the illustrations. The same may be said of the volume devoted to the mammals of the State.

Professor Brewer has continued the preparations of the botanical volume, and the collaborators in this department have made progress in working up the different families of plants with which they have severally been intrusted. Professor Gray, of Cambridge, and Dr. Engelmann, of St. Louis, have both spent the past year in Europe, and took with them portions of the California flora, to be studied there. The appearance of this volume, on which already a very large amount of labor has been expended, is eagerly awaited by teachers in all parts of the State, and it will be a great loss to science and to the cause of education if the work shall be indefinitely delayed.

Much time and thought has been given to the working over of the materials for a second volume of the Geology of California. This is intended to close the series in that department, and to embrace a full and systematic account of the geological structure of California.

With high respect,

Your obedient servant,

J. D. WHITNEY.

R E P O R T

OF THE

Secretary of the Supreme Court

ON

LIBRARY MATTERS.

D. W. GELWICKS, STATE PRINTER.

REPORT.

SUPREME COURT ROOMS,
Sacramento, Cal., December 6th, 1869. }

To His Excellency,
H. H. HAIGHT,
Governor of California :

SIR : In conformity with law, I hereby submit a report of the state of the account of the moneys expended for the purposes of the Supreme Court Library during the year eighteen hundred and sixty-nine, and of the condition of said library at this date :

There was drawn from the State treasury, for the purposes of said library, during said year.....	\$12,760 75
Expended for books, freight thereon, etc.....	8,852 50
Balance on hand.....	\$3,908 25

The bulk of said library has been contracted for with Banks & Brothers, New York, for fourteen thousand five hundred dollars, United States coin, payable as the books shall be delivered, and the money may be accruing in the Supreme Court Library Fund of the State treasury.

Only part of the books having been delivered yet ; there are now two thousand four hundred and ninety-five volumes in said library, consisting of State, United States and British reports, digests, statutes and law treatises. As soon as the rest of the books contracted for, which are on their way from England now, and those due this from the State Library, shall have arrived, the California Supreme Court Library will, as a working law library, compare favorably with any law library in the United States.

We have just moved into the new Capitol, and, in unpacking the books as they arrived from the booksellers, setting them up, labelling, numbering and cataloguing them, I have, aside from my duties as Secretary to the Judges of the Supreme Court, been too arduously occupied to make a more detailed report.

In conclusion, I take pleasure in saying that the Bailiff of the Supreme Court has diligently and faithfully assisted me in putting said library into its present state.

Very respectfully, your obedient servant,

CARL C. FINKLER,
Librarian of the Supreme Court Library.

THIRD BIENNIAL REPORT

OF THE

Trustees of the California State Library,

FOR THE

YEARS 1868 AND 1869.

STATE OF NEW YORK

IN SENATE

D. W. GELWICKS.....STATE PRINTER.

REPORT.

SACRAMENTO, December 31st, 1869.

To the Legislature of the State of California :

The Trustees of the State Library herewith transmit their third biennial report.

The number of books now in the library, excluding duplicates, is twenty-five thousand six hundred and fifty-two; the law department having nine thousand and ninety-three, and the miscellaneous department sixteen thousand five hundred and fifty-nine.

The increase since our last report, is three thousand one hundred and seventy-four, not including duplicates; being five hundred and three volumes more than in the corresponding previous two years.

Annexed will be found a list of all books and pamphlets received from other States by exchange, and from individuals by donation :

Donor.	Title.
Alabama.....	Revised Code of Alabama, 1867, 2 copies. Acts of the Sessions of July, September and November, 1868, 2 copies. Alabama Reports, Vol. 40.
Arizona	Acts of 1867. Journals of the Fourth Session of the Legisla- ture of 1867.
Arkansas	Acts of the General Assembly, First Session, 1868.
Colorado.....	Revised Statutes of 1867, 2 copies. Laws of 1861, 1864, 1865, 1866, 1866-67, pam- phlets.

Donor.	Title.
Colorado.....	Journals of the Council, of the 1st, 2d, 3d, 4th, 5th, 6th and 7th Sessions, 1861—1867-68, pamphlets. Journals of the House, of the 1st, 2d, 3d, 4th, 5th, 6th and 7th Sessions, 1861—1867-68, pamphlets.
Connecticut	Public Acts of 1867, 1868, pamphlets. Private Acts of 1867, 1868, pamphlets. Laws relating to Education, pamphlets. House Journals, May Sessions, 1854, 1856, 1858, 1859, 1860, 1861, 1867, 1868, pamphlets. Senate Journals, May Sessions, 1867, 1868, 2 copies, pamphlets. Legislative Documents, 1867, 1868. Connecticut Reports, Vols. 33, 34. Colonial Records of Connecticut, 1639—1706. History of Connecticut during the recent war, 1861-65. Report of Committee of Board of Agriculture, 1868, pamphlet. Ninth Annual Report, Executive Committee, Hartford Hospital, 1869, pamphlet.
Dakota.....	Laws of 1866-67, 1867-68. Council Journal, 1867-68. House Journal, 1867-68.
Delaware	Laws of 1845—1852, 1853—1859, 1861—1865, 1865, Part V, 2 copies, pamphlet; 1866, Part I, 2 copies, pamphlets; 1867, Part II, 2 copies, pamphlet.
Georgia.....	Georgia Code. Laws of 1868, 1869. Senate Journal, Called Session, 1868, pamphlet. Senate Journal, Regular Session, 1869, pamphlet. House Journal, Called Session, 1868, pamphlet. House Journal, Regular Session, 1869, pamphlet. Georgia Reports, Vols. 29, 34, 35, 36, 37. Bacon's Digest, Georgia Reports.
Idaho	Laws of Idaho, 1864, 1865-6, 1868-9. Council Journals, 2d and 3d Sessions, 1864, 1865-6, pamphlets. House Journals, 1st, 2d and 3d Sessions, 1863-4, 1864, 1865-6, pamphlets.
Illinois.....	Public Laws of 1867, 1869, 2 copies each. Public and Private Laws, Special Session of 1867, 2 copies.

Donor.	Title.
Illinois.....	Senate Journals, January, 1867, 2 copies. Senate and House Journal, June, 1867, 2 copies. House Journal, January, 1867, 2 copies. Reports to General Assembly, 1867, 2 copies. Biennial Report of Auditor, 1867, pamphlet. Illinois Reports, Vols. 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44. Wood & Long's Digest, Illinois Reports, 2 Vols.
Indiana.....	Report of Adjutant-General, 8 Vols. Indiana Reports, Vols. 25, 26, 27, 28, 29, 2 copies.
Iowa	Laws of 1868, 3 copies. Senate Journal, 1868. House Journal, 1868. Legislative Documents of 1868, 2 Vols. and extra copy, Vol. 1. Iowa Reports, Vols. 21, 22, 23, 24, 25, 26.
Kansas	General Statutes, 1868, 2 copies. Senate Journals, 1862, 1866, 1867, 1868, pam- phlets. House Journals, 1865, 1866, 1867, 1868, pamphlets. Kansas Reports, Vols. 1, 2, 3, 4.
Kentucky	Bush's Kentucky Reports, Vols. 1, 2, 3.
Maine.....	Acts of 1868, 2 copies, 1869. Senate Journal, 1868. Legislative Documents, 1868. Public Documents, 1868. Agriculture of 1867. Water Power of 1868. Maine Reports, Vols. 48, 54, 55. Collections of the Maine Historical Society, (Second Series). Documentary History, Vol. 1, Discovery.
Maryland.....	Laws of 1868, 2 copies. Senate Journal, 1868. House of Delegates, Journal, 1868. Senate and House Documents, 1868. Proceedings Maryland State Convention, 1867. Constitution of 1867. Maryland Reports, Vols. 23, 24, 25, 27.
Michigan	Michigan Reports, Vols. 13, 14, 15, 16, 17.
Minnesota.....	Laws of 1867, 1868, 1869. Senate Journals, 1867, 1868, 1869.

Donor.	Title.
Minnesota.....	House Journals, 1867, 1868, 1869. Executive Documents, 1866, 1868, 1868-9. Minnesota Reports, Vols. 11, 12, 13. Revision of Statutes, 1866.
Mississippi.....	Mississippi Reports, Vols. 37, 38, 39.
Missouri.....	Laws of 1858-9; Adjourned and Called Session of 1859-60; Regular and Called Session of 1860-61, Laws of 1863; and 3 copies of Laws of 1868. Missouri Reports, Vols. 40, 41, 42, 43.
Montana.....	Vigilantes of Montana.
Nebraska	Laws of 1867, 2 copies. Senate Journal, 1st, 2d and 3d Sessions, pamphlets. House Journal, 1st, 2d and 3d Sessions, pamphlets.
Nevada.....	Laws of 1869. Senate Journal, Fourth Session, 1869, 2 copies. Assembly Journal, Fourth Session, 1869, 2 copies. Nevada Reports, Vol. 3 (2 copies), Vol. 4.
New Hampshire.....	General Statutes, 1867, 2 copies. Laws of 1865, 1867, 1868, pamphlets. Journals of the Senate and House, June Sessions of 1865, 1867, 1868, pamphlets. Twenty-first Annual Report of Common Schools, 1867, pamphlet. Report Board of Visitors of Insane Asylum, 1867, pamphlet. Report of Bank Commissioners, 1867, pamphlet. Report of Insurance Commissioners, 1867, pamphlet. New Hampshire Reports, Vols. 46, 47.
New Jersey.....	Laws of 1868, 1869. Senate Journal, 1868, 1869. Minutes of Assembly, 1868, 1869. Legislative Documents, 1868, 1869. New Jersey and the Rebellion, 2 copies. New Jersey Law Reports, Vols. 31, 32 (2 Vroom). New Jersey Equity Reports, Vols. 16, 17, 18, 19. Geology and Maps of New Jersey, 1868.
New York.....	Laws of 1867, 1868, 1869, 2 Vols. each. Senate Journal, 1867, 1868.

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Ohio	<p>Supplement to Revised Statutes (Swan & Sayler), 1868. Laws of 1863, 1864, 1865. School Laws of 1862. Senate Journal, 1865, 1866, 1867. House Journal, 1866, 1867. Executive Documents, 1865, 1866, 1867, 2 Vols. each. Ohio State Reports. Vols. 16, 17. Ohio Digest, Ohio Reports, 20 Vols.; Ohio State Reports, 15 Vols. Ohio Statistics, 1865, 1866, 1867. Agricultural Reports, 1865, 1866. Auditor's Report, 1866. Report Commissioners Common Schools, 1865, 1867, 2 copies each. Report Commissioners Reform School, 1867, pamphlet. Detailed Statement, Receipts, etc., 1865, 1866, pamphlet. Report of Commissioners on Railroads and Telegraphs, 1867. Report of Special Committee on Railroads and Telegraphs, 1867. Report of Trustees of Northern Ohio Lunatic Asylum, 1867. Report of Trustees for Education of the Blind, 1867. Report of Board of State Charities, 1867, pamphlet. Report Directors, etc., of Ohio Penitentiary, 1867, pamphlet. Report Trustees, etc., for Education Deaf and Dumb, 1867, pamphlet.</p>

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Ohio	<p>Report of Directors, etc., of Longview Asylum, 1867, pamphlet.</p> <p>Report Trustees, etc., for Education of Idiots, etc., 1867, pamphlet.</p> <p>Report Trustees of Central Ohio Lunatic Asylum, 1867, pamphlet.</p> <p>Report of Board of Public Works, 1867, pamphlet.</p> <p>Report of Commissioners of State Library, 1867, 2 copies, pamphlet.</p> <p>Report of Comptroller of Treasury, 1867, pamphlet.</p> <p>Report of State Gas Commissioners, 1867, pamphlet.</p> <p>Report of Superintendent of State House, 1867, pamphlet.</p> <p>Report of Secretary of State, 1867, pamphlet.</p> <p>Report of Attorney-General, 1867, pamphlet.</p> <p>Report of Auditor of State, 1867, pamphlet.</p> <p>Report of Supervisors of Public Printing, 1867, pamphlet.</p> <p>Report of Commissioners of Sinking Fund, 1867, pamphlet.</p> <p>Report of Treasurer of State, 1867, pamphlet.</p> <p>Report of Adjutant-General, 1867, pamphlet.</p> <p>Message of Governor, January 6, 1868, pamphlet.</p> <p>Inaugural of Hon. R. B. Hayes, January 13, 1868, pamphlet.</p> <p>Report of Insurance Department, 1868, pamphlet.</p>
Oregon	Oregon Reports, Vol. 2.
Pennsylvania	<p>Laws of 1868, 1869.</p> <p>School Laws of 1868.</p> <p>Senate Journal, 1868, 1869.</p> <p>Assembly Journal, 1868, 1869.</p> <p>Legislative Documents of 1868, 1869.</p> <p>Executive Documents of 1867, 1869.</p> <p>Pennsylvania School Reports of 1867.</p> <p>Report on Railroads, for 1867, 1868.</p> <p>Pennsylvania State Reports, Vols. 53, 54, 55, 56.</p> <p>Pennsylvania Legislative Hand Book, 1869.</p>
Rhode Island.....	<p>Acts and Resolves, May Sessions, 1867, 1868; January Sessions, 1868, 1869.</p> <p>Public Laws, 1857—1868.</p>
South Carolina.....	Acts of, passed November and December, 1860; June, 1861; December, 1861; December, 1862;

Donor.	Title.
South Carolina.....	<p>February and April, 1863; September and December, 1863; Sessions of 1864-65, and 1866; Extra Session of 1866, and Regular Session of 1868-69.</p> <p>Proceedings of Constitutional Convention of 1868, pamphlet.</p> <p>Journals of the General Assembly, Special Session of 1868, pamphlet.</p> <p>Journals of the General Assembly, 1868-69, pamphlet.</p> <p>Reports and Resolutions of the General Assembly, 1868-69, pamphlet.</p> <p>South Carolina Law and Equity Reports (Richardson)—Law, Vols. 13 and 14; Equity, Vols. 12 and 13.</p>
Tennessee	<p>Laws of 1868-69.</p> <p>Senate Journal and Appendix of 1868-69.</p> <p>House Journal and Appendix of 1868-69.</p> <p>Geology of Tennessee, by J. M. Safford.</p> <p>Coldwell's Reports, Vols. 3 and 4, 2 copies each; Vol. 5.</p>
Texas	Texas Reports, Vols. 25, 27, 28.
Utah	Acts, Resolutions, and Memorials, passed at the several sessions of the Legislative Assembly.
Vermont.....	<p>Legislative Directory, 1869.</p> <p>Laws of 1867, 1868.</p> <p>Senate Journal of 1867, 1868.</p> <p>Journal, Council of Censors, 1869.</p> <p>House Journal of 1867, 1868.</p> <p>Legislative Documents of 1867, 1868, 1869.</p> <p>Ninth, Tenth, and Eleventh Registration Reports, 1865, 1866, 1867.</p> <p>Hall's Early History of Vermont.</p> <p>Vermont Reports, Vols. 40, 41.</p> <p>Report Fish Commissioners, 1869, pamphlet.</p> <p>General Washburne's Oration, 1868.</p>
Virginia.....	Grattan's Reports, Vols. 17, 18.
Washington	<p>Laws of First Biennial Session, 1867-68, pamphlet.</p> <p>Council Journal, First Biennial Session, 1867-68, pamphlet.</p> <p>House Journal, First Biennial Session, 1867-68, pamphlet.</p>

Donor.	Title.
West Virginia	Laws of 1867, 1869. Senate Journal of 1868. House Journal and Documents of 1868.
Wisconsin	General Laws of 1855, 1856, 1861; Extra Session of 1862-63, 1864-67, and 2 copies of 1868. Senate Journals of 1855, 1856, 1859, 1861, 1862 (2 Vols.), 1864-68. Assembly Journals of 1855, 1856, 1858, 1862 (2 Vols.), 1864-68. Messages and Documents of 1855, 1856, 1857 (2 Vols.), 1858, 1859, 1861, 1863, 1864, 1865 (2 Vols.), 1866, 1867. Adjutant-General's Report, 1865. Simmons' Digest of Reports. Wisconsin Reports, Vols. 16, 17, 19, 20, 21.
Department of the Interior, United States....	Laws of the U. S., 3d Session, 40th Congress. U. S. Statutes at Large, Vol. 15. House Journal of 1864-65, 1865-66, 2 copies each; 1866-67, 3 copies; 1867, 2 copies.
Amerman, J. A.....	Great Register of Alameda County for 1867.
Ames, John.....	Great Register of San Mateo County for 1867, and Supplement for 1868-69. List of Names cancelled and added, 1867-68.
Barber, J. H.....	Great Register of Alpine County for 1867. Supplemental Lists of 1867 and 1868.
Bartlett, W.....	Supplemental Great Register of San Francisco for 1869.
Bequette, H. D.....	Great Register of Kern County for 1867, and Supplement of 1868.
Blair, C. M.....	Great Register of Merced County for 1867, and Supplement of 1869.
Bowie, General G. W....	Addresses before the California Volunteers, by Major J. C. Cremony, in 1868; and by Colonel J. N. Olney, in 1869.
Bowman, H.....	Boyle's Reflections. Cooper, S. Argument for the Truth of Christianity. Enfield, W. English Dictionary. Female Tuition. Hawles, J. The Englishman's Right.

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Bowman, H.....	Honeywood, St. John. Poems. Lennie, J. English Grammar. Ladies Museum for 1830. Maxims and Reflections. Miscellaneous Pamphlets. Murray, L. English Grammar. Napoleon, Maxims and Observtions of. Newton, I. On Two Corruptions of Scripture. Pilkington, Mrs. Obedience Rewarded. Strictures on Female Education. South America and Mexico, View of. Strang, J. The Cruise. St. George, A. Christian Philosophy. Schrevelius, C. Greek and English Lexicon. Webster, N. American Spelling Book. Webster, N. Elementary Spelling Book. Whitchurch, S. Nautic Tales.
Clerk of the House of Representatives.....	Journal of the House of Representatives of 1867-68, 3 copies.
Cluness, W. R.....	Pacific Medical and Surgical Journal, Vols. 1 to 4. Parker, S. H. Funeral Oration on T. Wildey. Morse, J. F. Tribute to the Memory of M. Purdin. Medical Convention, Sacramento, 1856. San Francisco Medical Society, Constitution of, 1868. Wooster, D. Diphtheria. Geary, J. F. Epidemic Cholera. Lester's Pacific Monthly, Vol. 10, Nos, 7 and 8 ; Vol. 11, Nos. 3 to 8, 10, 11.
Commissioners of Prison Association, N. Y.....	Twenty-third Annual Report of the Prison Association of New York, for 1867.
Dana, C. W.....	Great Register of San Luis Obispo County for 1867. Supplemental Register for 1868 and 1869.
Davis, W. H. H.....	History of th 104th Pennsylvania Regiment.
Denman, J.	Common School Reports of the City of San Francisco, 1861 to 1868.
Dorrance, H. T.....	Great Register of San Joaquin County for 1867. Supplements of 1868 and 1869.
Dunlap, P.....	Sacramento City Directory for 1851.
Dwinelle, J. W.....	Colonial History of San Francisco.

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Fonzer, J.....	Great Register of Mendocino County for 1867. Supplement of 1869.
Gardiner, R. V.....	Great Register of Tuolumne County for 1867. Supplement of 1869.
Harkness, H. W.....	Cooper, E. S. Removing Foreign Body from the Heart. Logan, T. M. Medical Topography of California. Pacific Medical and Surgical Journal, Vols. 5 and 6. Sawyer, A. F. Mortuary Table for 1862. Simmons, G. L. Case of Complex Labor. Trask. Treatment of Diarrhœa.
Hawkins, A.....	Supplement to Great Register of Siskiyou County for 1868.
Hayden, C. C.....	Proceedings Grand Grove United Ancient Order of Druids of California, 1865—1869.
Hayne, I. N.....	Adjutant-General's Report of Illinois, 1861—66, 4 Vols.
Hempstead, C. H.....	Acts, Resolutions, etc., of the Seventeenth An- nual Session of the Legislature of Utah, 1868. Journals of the Legislative Assembly of the 11th to the 18th Sessions, 1861 to 1869.
Hewson, J. B.....	Great Register of Santa Clara County for 1867 to 1869.
Hobbs, H. H.....	Great Register of Santa Cruz County for 1868. Supplemental Register for 1869.
Hughes, T. E.....	Great Register of Stanislaus County for 1869.
Jencks, B. W.....	Great Register of Klamath County for 1869, 2 copies.
Johnson, W. S.....	Poll List of Monterey County for 1869.
Johnson, T. R.....	Proceedings of R. W. Grand Lodge of I. O. O. F. of California, 3 Vols. Digest of the Laws of the Grand Lodge of I. O. O. F. of California compiled by T. L. Alexander. Proceedings of the Seventeenth Annual Com- munication of 1869.

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Johnson, T. R.....	<p>Proceedings of the R. W. Grand Encampment of I. O. O. F. of California, January, 1855, to May, 1862.</p> <p>Tenth, 12th, 13th and 14th Annual Reports of the Odd Fellows' Library Association, of San Francisco.</p> <p>Celebration of the Semi-Centennial Anniversary of the establishment of Odd Fellowship in America, San Francisco, April 26th, 1869.</p>
Kimball, W. H.....	<p>Reports of the New Hampshire State Agricultural Society for 1850 to 1860, 9 Vols.</p>
Langley, H. G.....	<p>Directories of—</p> <p>Albany, 1865.</p> <p>Baltimore, 1860, 1865-66.</p> <p>Boston, 1855, 1856, 1859, 1860, 1861, 1863, 1865.</p> <p>Brooklyn, 1859-60, 1867-68.</p> <p>Charleston, 1860, 1864.</p> <p>Cincinnati, 1857, 1859.</p> <p>Columbus, 1856.</p> <p>Covington and Newport, 1856.</p> <p>Fall River, 1864.</p> <p>Lawrence, 1864.</p> <p>Lowell, 1858.</p> <p>Lynn, 1858, 1860, 1865.</p> <p>Manchester, 1860.</p> <p>Massachusetts Register, 1857.</p> <p>Milwaukie, 1858.</p> <p>Mobile, 1859.</p> <p>Newburyport, 1856-57, 1860.</p> <p>New Orleans, 1859.</p> <p>New York City, 1860.</p> <p>Pacific Coast Business Directory, 1867.</p> <p>Portland, Oregon, 1866.</p> <p>Providence, 1863.</p> <p>Roxbury, 1860.</p> <p>Salem, 1864.</p> <p>San Francisco, 1856, 1859-60, 1860-61, 1861-62, 1862-63, 1863-64, 1864-65, 1867-68.</p> <p>Steubenville, 1856.</p> <p>Stockton, 1856.</p> <p>Taunton, 1859, 1864.</p> <p>Troy, 1865.</p> <p>Walch's Tasmanian Almanac, 1862.</p> <p>Wheeling, 1856.</p> <p>Zanesville, 1856.</p>
Lies, Eugene.....	<p>Mexican Constitution of 1836, in Spanish.</p> <p>Compendu grammatical para la Intelligencia del Idioma Tavahamar.</p>

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Logan, T. M.....	Medical History of the year 1868, in California.
McKune, J. H.....	Letter of Vallejo; Reply of Jimeno. Letter concerning Captain Sutter, from the Minister of Relations.
Meigs, H. C... ..	Roll of Honor, Nos. 16, 18 and 19. Names of Soldiers who died in defence of the American Union. Statement of the disposition of some of the bodies of deceased Union Soldiers and Prison- ers of War, whose remains have been removed to the National Cemeteries in the South and Western States, Vols. 2, 3 and 4.
Mercantile Library (San Francisco).....	Reports of Officers of Library for the 8th to the 13th years.
Overton, J. B.....	Great Register of Plumas County for 1867. Supplements for 1868, 1869.
Parliamentary Library (Melbourne).....	Sets Parliamentary Papers.
Payne, M.....	Institutes of Medicine.
Post-office Department...	List of Post-offices in the United States, 1868.
Prosser, W. F.....	Report of Surveys across the Continent in 1867-68, on the 35th and 32d Parallels, for a Route extending the Kansas Pacific Railway to the Pacific Ocean.
Redding, B. B.....	United States vs. Limantour, 4 Vols. California Culturist, Vol. 3. Gazly's Pacific Monthly, Nos. 4, 5, 6.
San Francisco, City of...	Municipal Reports, 1866-67, 1867-68.
Sewell, G. G	Supplemental Great Registers of Placer County for 1868-69. List of Names cancelled upon the Great Register to 21st October, 1868.
Shackleford, T. J.....	Great Register of Tulare County for 1869.
Simmons, G. L.....	Pickett, C. E. Fremont, his character, etc. Slater, N. Fruits of Mormonism. Slottery, D. Letters of. Wierzbicki, F. P. California as it is.

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Smithsonian Institute....	Smithsonian Report, 1867.
Stillman, Dr.....	Quaritch's Catalogue of Books, 1868.
Strange, J. H.....	Great Register and Supplement of Sierra County for 1869.
Taggert, G. I.....	Great Register of Shasta County for 1867. Supplemental Register for 1868.
Union Republican Cong. Committee.....	Life and Services of General U. S. Grant.
U. S. Naval Observatory	Astronomical and Meteorological Observations, 1866.
Varsi, A.....	Prospectuses and Catalogues of Santa Clara College, 1855—1859.
Wittenmeyer, L. C.....	Supplemental Great Register, Contra Costa County, 1868.
Woodbridge, T. E.....	The Policy of extending Government aid to additional Railroads to the Pacific, by guaranteeing interest on their Bonds, 1869.
Woodworth, J.....	<p>First, Second and Third Annual Reports of the California Prison Commission, 1866—1868.</p> <p>Annual Reports of Prison Association of New York for the 19th, 20th, 21st and 22d years.</p> <p>Scudder, H. M. Shall we Drink Wine?</p> <p>Wadsworth, C. A Mother's Sorrow.</p> <p>American Church Missionary Register, No. 9, of Vol. 5.</p> <p>Industrial School of San Francisco, By-Laws, etc., of, 1865.</p> <p>Young Men's Christian Association, Eleventh Annual Report, 1864.</p> <p>Home Missions, New York, Second Annual Report, 1863.</p> <p>Proceedings of the Fourth Anniversary of the San Francisco Port Society, 1864.</p> <p>American Social Science Association, Part I, 1865—66.</p> <p>Special Report on Prisons and Prison Discipline, Boston, 1865.</p> <p>Journal of Prison Discipline and Philanthropy, No. 5, Philadelphia, 1866.</p>
Wilson, E. J.....	Resources of Vallejo.

The law library is now one of the best working law libraries in the United States; it is excelled by few, and is far superior to most of those belonging either to States, Law Institutes, societies or individuals. It contains copies of nearly all the law reports.

Many of the early reports, and the volumes missing from sets, have been added to our collection with much difficulty, as they are not only very scarce, but are held at high prices when they can be obtained at all.

When the English and Irish reports that have been purchased and will soon arrive, shall have been added to the library, it will contain nearly all the law books of value that have ever been published in the English language. All the later editions of law treatises are now in the library, and since our last report a complete set of English and Irish statutes have been purchased. It will not therefore be necessary hereafter to expend much money for law books.

We now have one hundred and six bound volumes of the Supreme Court records, all of which are properly indexed for convenient reference and are considered by the profession a valuable addition to the law library.

The books added to the miscellaneous department are more valuable than those purchased in former years, and it will be found that as the library increases it will be necessary to procure more valuable and expensive works. A State Library, being a library of reference, should contain such books as cannot be found in private libraries, and are required by scientific and literary men in the pursuit of their investigations.

The library contains nearly all the standard English scientific, historical and literary works of value; and now more attention can be given to the collection of books on California and the Pacific coast. Much has been done, during the last two years, in making such collection, and many books, early pamphlets, magazines and early newspapers, have been added to the California Department. We should have everything that has been written about our own State and the Pacific coast. A very large number of such books have been published in the English, French, Spanish and other languages, and many of them are very scarce and command high prices; but the State can well afford to purchase all, and no effort should be spared to procure them. An appropriation of ten thousand dollars would probably be all that would be requisite to secure such as can be obtained. Money expended for such books would not be like that expended for many other purposes, for while in the one case no future benefit can possibly be derived from the expenditure, in the other, the State would always have the worth of the money, and the value of the books be increased yearly.

The Legislature has not made any direct appropriation for the purchase of books. The only money received for that purpose has been that paid to the Secretary of State for filing certificates of incorporation, etc., and from this comparatively small amount a very valuable library has been built up without being a tax upon the people, and which is now worth more than the first cost.

The books in the library were removed from the old rooms to the new Capitol in November. The room intended for the miscellaneous department is large enough to contain the books for many years to come, but the room used for the law library is too small for a convenient arrangement of the books belonging to that department.

As the library increases in size and importance, the work of attending to it also increases; and the construction of the library rooms (the law library being apart from the miscellaneous) has greatly added to the

labor of taking care of it, and it will be found to be impossible to take proper care of the library and attend to all the duties imposed upon the Librarian without an additional assistant.

The library has been insured from year to year, and is now insured for fifty thousand dollars. The policies expire on the fifteenth of July next. Whether it is advisable to continue the insurance after that date is for the Legislature to decide. The appropriation made by the last Legislature for insurance was five hundred dollars per year, which sum paid the amount of premium on fifty thousand dollars. The amount of tax and cost of stamps was one hundred and thirty-five dollars for the two years, which sum was paid out of the Library Fund.

The Legislature, at the last session, appropriated five hundred dollars for contingent expenses, postage and expressage for the State Library for two years. This sum was too small to pay expressage and freight on books, and the deficiency has been paid out of the Library Fund.

LIBRARY FUND.

The balance in the Library Fund at the time of making the last report was one thousand seven hundred and fifty-eight dollars and seven cents.

The sum paid into the fund in eighteen hundred and sixty-eight, was five thousand six hundred and thirty-five dollars and fifty-five cents, and in eighteen hundred and sixty-nine, it was six thousand nine hundred and seventy-four dollars and forty-five cents. The balance now in the fund is seven hundred and sixty-two dollars and seven cents.

The sum expended for books amounts to twelve thousand five hundred and thirty-one dollars and eighty cents; for binding, seven hundred and seven dollars and twenty-five cents; for tax and stamps for insurance, one hundred and thirty-five dollars; for freight on books, two hundred and thirty-one dollars and ninety-five cents.

JOS. W. WINANS,
President of Board of Trustees.

W. C. STRATTON, Secretary.

R E P O R T

OF THE

BOARD OF REGENTS

OF THE

UNIVERSITY OF CALIFORNIA.

REPORT.

To His Excellency,
H. H. HAIGHT,
Governor of California:

The Regents of the University of California beg leave to present the following report of their operations, and of the progress of the institution under their charge, as required by section nineteen of the Act creating and organizing the University.

That Act was approved March twenty-third, eighteen hundred and sixty-eight.

ORGANIZATION OF THE BOARD OF REGENTS.

By the provisions of the University Act, the following named persons and officers are ex officio members of the Board of Regents: His Excellency Henry H. Haight, Governor, and President of the Board; His Honor William Holden, Lieutenant-Governor; Hon. C. T. Ryland, Speaker of the Assembly; Rev. O. P. Fitzgerald, D. D., State Superintendent of Public Instruction; Hon. Charles F. Reed, President of the State Agricultural Society; A. S. Hallidie, Esq., President of the Mechanics' Institute of the City of San Francisco.

The following persons were appointed members of the Board by the Governor, and classified by lot respectively, as follows: Hon. Samuel Merritt, two years; John T. Doyle, Esq., four years; R. P. Hammond, Esq., six years; Hon. John W. Dwinelle, eight years; Rev. Horatio Stebbins, ten years; Hon. Lawrence Archer, twelve years; William Watt, Esq., fourteen years; Hon. S. B. McKee, sixteen years.

The first meeting of the Regents was held on the ninth of June, eighteen hundred and sixty-eight, at which the following persons were chosen members of the Board by the ex officio and appointed members, and classified by lot respectively, as follows: Isaac Friedlander, Esq., two years; Hon. Edward Tompkins, four years; J. Mora Moss, Esq., six years; S. F. Butterworth, Esq., eight years; Andrew J. Moulder, Esq., ten years; A. J. Bowie, M. D., twelve years; Hon. F. F. Low, fourteen years; John B. Felton, Esq., sixteen years.

Subsequently, Andrew J. Moulder (elected Secretary of the Board), Frederick F. Low and Isaac Friedlander resigned their positions as Regents, and in their places the Board elected Hon. John S. Hagar, William C. Ralston, Esq., and Louis Sachs, Esq.

THE AGRICULTURAL COLLEGE LANDS.

The first matter that engaged the attention of the Board was the disposition of the one hundred and fifty thousand acres of land granted to the State for the establishment and support of a College of Agriculture and the Mechanic Arts, and by the State donated to the University.

The price was originally fixed at five dollars (gold) per acre, payable *in cash*. Under this rule fourteen hundred acres were sold, realizing seven thousand dollars.

Subsequently the terms were modified so as to permit the purchaser to pay twenty per cent. of the amount in cash and the remainder in four equal annual instalments, with interest on the amount unpaid at the rate of ten per cent. per annum.

On these terms twenty-one thousand six hundred acres have been disposed of, on which twenty-one thousand six hundred dollars, for principal, has been paid up.

In anticipation of a failure to dispose of the entire grant at this rate, the Board appointed, in March, eighteen hundred and sixty-nine, Messrs. John C. Hays, G. Howard Thompson and Horace A. Higley, gentlemen of skill and reputation, familiar with the public lands and laws relating to public lands in this State, to locate as rapidly as possible the rest of the one hundred and fifty thousand acres remaining unsold.

These gentlemen have been busily engaged in the duties assigned to them, and they have, after careful inspection, selected about seventy-five thousand acres of the best located and most desirable public lands, which they are now engaged in locating in the name of the University.

These lands are on or near the lines of projected internal improvements, and will be held for a market of not less than five dollars (gold) per acre, which it is confidently expected they will bring in a year or two. A portion of them may be retained a longer time, as a source of income to the University.

The sale of the University lands has been seriously hampered by what the Board consider unreasonable restrictions upon the location, imposed by the United States laws and land officers.

An amendatory Act, removing these restrictions, has been prepared, and the Board have addressed an earnest memorial to Congress in favor of its passage.

It is confidently expected this Act will pass in the early part of the approaching session of Congress. If so, the remainder of the grant, amounting to some fifty thousand acres, can be located immediately, to great advantage, upon lands already inspected, of large prospective value.

THE UNIVERSITY BUILDINGS.

The buildings for the University will be located on the site at Berkeley, four and one-half miles north of Oakland, donated for the purpose by the Trustees of the College of California.

The Board have devoted much time and care to the selection of proper plans for these buildings, and have finally adopted those of Messrs. Kanitzer & Farquharson, architects.

These plans provide for the construction of two spacious buildings of brick and iron, to be built in the most substantial manner, with special reference to resistance to possible earthquake shocks.

Each building will embrace a half-basement, and three stories above

the basement; the upper one being a finished attic, with ornamental mansard roof.

One will be known as the "Academic Building," the other as "Agricultural Hall." The Academic building will contain eleven large recitation and section rooms, a philosophical lecture room, a temporary museum of mineralogy and a library.

Agricultural Hall will contain chemical and metallurgical laboratories, technical museum, lecture room, library, recitation and class rooms, store rooms and study or retiring rooms for the Professors.

In addition to these principal structures, the plans provide for separate buildings, not expensive, for a magnetic or meteorological observatory, for the President's office and Faculty rooms, for seven frame dwelling houses to be occupied by the Professors, and for two out-buildings.

Provision is made, and space will be left for the erection, at some future time, of an elegant and imposing central building, to be the culminating feature of the group, and to contain the grand assembly hall, the library, museums, clock tower and President's rooms.

The Academic building is to be one hundred and fifty-four feet in length, by sixty-three feet in depth; the Agricultural Hall, one hundred and fifty feet long by fifty-four feet deep. The axis of all the buildings is placed nearly north and south, and the space between them is never less than one hundred feet, so that the burning of one may not endanger the others. The estimated cost of all these buildings, excepting, of course, the grand central building, which will not be erected until the increase in the number of students demands it, and more ample means justify it, is two hundred and thirty thousand dollars.

When completed they will be substantial, commodious and admirably arranged for the purposes for which they are designed. It is intended that they shall be a credit to the State and an enduring monument of her liberality to the cause of education. Work has been commenced upon these buildings, and will be prosecuted as rapidly as the means at the disposal of the Board will permit.

THE UNIVERSITY IN OPERATION.

Meantime the University has been formally inaugurated, and temporarily established in convenient buildings in the City of Oakland.

On the twenty-third of September the first term began, and the exercises were opened in the building formerly occupied by the College of California and an adjoining building rented for the purpose.

The session opened with forty-two students, distributed among the various colleges—a portion entering each of the four classes into which the regular course is divided.

A number of other students have applied for admission upon the opening of the second term, which will be on the sixth of January next.

It is confidently believed and expected that the superior advantages offered by the University, and the able corps of Professors and instructors constituting the Faculty, will speedily attract a very large number of students from all parts of the Pacific Coast.

THE FACULTY.

The Board consider themselves fortunate in having secured the services of the following gentlemen, of high attainments in their several departments, to fill the various chairs established thus far in the University:

John Le Conte, M. D., Acting President and Professor of Physics and Industrial Mechanics.

Robert A. Fisher, A. M., Professor of Chemistry, Mining and Metallurgy, and Dean of the Faculty.

Joseph Le Conte, M. D., Professor of Geology, Natural History and Botany.

Martin Kellogg, A. M., Professor of Ancient Languages.

W. T. Welcker, Professor of Mathematics.

Paul Pioda, Professor of Modern Languages.

Ezra S. Carr, M. D., Professor of Agriculture, Agricultural Chemistry and Horticulture.

William Swinton, A. M., Professor of English Language and Literature, including Rhetoric and Logic.

Robert E. Ogilby, Instructor of Drawing.

Frank Soule, Jr., Assistant Professor of Mathematics.

Other professorships will be established and filled as soon as the number of students and the necessities of the institution demand them. The Regents have not yet elected a permanent President of the University. In the absence of such officer, Professor John Le Conte, eminent in the ranks of science, has been appointed acting President.

EQUIPMENT OF THE UNIVERSITY.

The Regents have devoted special attention to that most important feature of an institution of learning—its thorough equipment with apparatus of the most approved and latest pattern; and for this purpose they have made a most liberal outlay, under the minute instructions of President Le Conte, carried out by Professor Fisher, himself thoroughly familiar with the nice details of the work entrusted to him. Professor Fisher was dispatched by the Regents in April last to make all necessary purchases of apparatus for all the departments of the University. He devoted five months of close study and attention to this duty, employing much of the time in examining the extensive and elaborate workshops of the leading English, French and German manufacturers of scientific apparatus. From these, as well as from the best American manufactories, he has made a choice selection, ample to illustrate all the branches of science taught in the University, and embracing many instruments and appliances of novel design and recent invention, at a total expense, for first cost, of about sixteen thousand dollars in gold.

This apparatus is now on the way from Europe and New York to San Francisco, and may be expected in ninety days at farthest. Being consigned to the University, it will be entered duty free, and thus the heavy sum a private importer would have to pay for duties will be saved to the University. Making allowances for the large reductions from catalogue prices, obtained by Professor Fisher, by reason of his extensive purchases from the manufacturers themselves, instead of from dealers at second hand, and for the amount saved in duties, it will be safe to say that the apparatus supplied to the University will be worth all of thirty thousand dollars in gold. Great pains have been taken to procure the latest improvements. Valuable appliances of recent invention have been obtained, to illustrate branches of science heretofore not supposed to be capable of illustration by artificial means.

As an instance, a large number of casts, accurate in detail, colored in imitation of the originals, and of natural size, of all the celebrated and

rare fossils in the British Museum and other repositories, and *fac similes* of the most curious and striking geological formations in all parts of the world have been procured. It will readily be understood of what immense service such aids will be to the Professor of Geology, in exciting the interest of his class, and in impressing upon their minds, through the senses, the important facts of his science.

We are justified in declaring that few institutions of learning in the United States are better equipped than will be the University of California when its apparatus arrives. Others may surpass it in quantity; few can equal it in quality. The possession of so valuable a collection of instruments and ingenious appliances will invest the University with special attractions for the students of the physical sciences.

The nucleus of a library has been secured. Scientific works for the use of the Professors in their several departments, and for reference by the students, have been purchased in the Atlantic States and in Europe. A number of valuable works have been presented to the University by Hon. John W. Dwinelle, Joseph A. Donohoe, Esq., and Charles Mayne, Esq. Additions will be made from time to time, as means permit and the occasion demands.

THE UNIVERSITY SITE

Consists now of two hundred acres of land, beautifully located at Berkeley, about four and one-half miles north of Oakland.

Of this tract, worth, at the rates ruling for private property adjoining, from one hundred and twenty-five thousand dollars to one hundred and fifty thousand dollars, the original site of one hundred and sixty acres was donated to the University by the Trustees of the College of California.

The Regents have since obtained, in addition, a valuable tract of forty acres adjoining on the west, of which ten acres were donated by George M. Blake, Esq., of Oakland, and about thirty-two acres were purchased from the College of California, under a contract made by the Board of Directors of the Agricultural, Mining and Mechanical Arts College, of whom the Regents are the legal successors.

The Regents have also secured the right to a number of never-failing and copious springs and other valuable water rights outside of the University tract, from which a supply of pure water, ample for all the wants of the University, can be obtained.

The grounds have been handsomely improved and ornamented. Numerous walks, avenues and drives have been constructed, and several thousands of evergreen and ornamental trees were set out in groves and along the avenues last spring, all of which are growing finely.

When all the improvements projected are completed, the University site will become one of the most attractive spots in the State.

With such beautiful surroundings, a climate unsurpassed, handsome and commodious buildings, extensive apparatus, valuable libraries, and an able corps of Professors, the University must soon draw to itself a large proportion of the youth of the Pacific Coast in search of learning.

By order of the Board.

ANDREW J. MOULDER,
Secretary.

RECEIPTS AND DISBURSEMENTS OF THE UNIVERSITY.

RECEIPTS.

From University Fund :	
Proceeds of sale of Seminary lands and interest on principal due.....	\$72,831 00
Proceeds of sale of tide and overflowed lands.....	100,000 00
From Agricultural College lands :	
Fourteen hundred acres, sold at five dollars each.....	7,000 00
Twenty-one thousand six hundred acres, sold at five dollars, of which twenty per cent. cash was paid, and remainder on time, bearing interest at ten per cent. per annum	21,600 00
From interest	2,160 24
From tuition fees of students.....	1,520 00
Land fees	16 00
	<hr/>
	\$205,127 24

DISBURSEMENTS.

For advertising, printing and stationery.....	\$1,645 54
For equipment and expenses of office and incidental expenses of University, including purchase of books and materials for laboratory.....	823 17
For improving and ornamenting University site	8,494 12
For rent.....	814 50
For salaries of President, Professors and Secretary.....	18,052 15
For plans of buildings.....	465 00
For apparatus and technical library.....	15,750 87
For telegraphing, postage and expressing.....	145 81
For repairs on College buildings in Oakland.....	1,255 00
For discount on silver received from State Treasurer.....	157 50
For examination and report on artificial stone.....	127 00
For purchase of tract of land adjoining University site and acquiring title to water outside of site.....	24,600 00
For loan to Trustees of College of California, bearing seven per cent. interest, secured by mortgage on real estate, due May twenty-seventh, eighteen hundred and seventy	6,500 00
Balance—Cash on hand.....	126,296 58
	<hr/>
	\$205,127 24

REPORT AND RESOLUTIONS

PRESENTED BY THE

COMMITTEE ON FEES AND SALARIES

ON THE REVISION OF THE

SEVERAL ACTS RELATING TO FEES AND SALARIES.

D. W. GELWICKS, STATE PRINTER.

REPORT.

MR. SPEAKER: The Committee on Fees and Salaries respectfully report that, in their opinion, a revision of the several Acts in relation to the fees and salaries is necessary, and that in order to enable your committee to present to the Assembly a proper bill, information and advice from the Supervisors, county and township officers of the several counties is desirable. The following resolution is therefore offered:

Resolved, That the Supervisors and the county and township officers of each county are requested to furnish, at an early day, to the Committee on Fees and Salaries, addressed to their Chairman, a full statement of the amount of fees and salaries received by each officer, the amount of taxable property, the amount of county indebtedness, and the number of registered voters, in their respective counties. Also, such other information and suggestions as may be deemed advisable by them, in order to enable said committee to present to the Assembly a bill, by the provisions of which each officer shall receive a fair compensation for each service performed by him.

Resolved, That one thousand five hundred copies of this resolution and report shall be printed, and that the Clerk of this House is directed to send, at an early day, copies of the same to the Supervisors and county officers of each county.

HIHN, Chairman.



R E P O R T

OF THE

COMMISSIONERS

APPOINTED TO REMOVE

BOYS FROM THE REFORM SCHOOL.

D. W. GELWICKS, STATE PRINTER.

REPORT.

• SAN FRANCISCO, November 1st, 1869.

To His Excellency,
H. H. HAIGHT,
Governor of California:

SIR: The undersigned, Commissioners appointed by the last Legislature to remove the boys from the late State Reform School, and to contract for their care at the Industrial School, San Francisco, or some other proper place, report that, after much delay, in consequence of the interference of the Superintendent, they succeeded, with the aid of Marshal Nightingill, in capturing, at the school buildings and in the vicinity, thirty-two boys, two of whom were discharged at Marysville on account of expiration of term, and two at the City of San Francisco, by pardon of your Excellency, and twenty-eight were delivered to the charge of the officers of the said Industrial School, under a contract, a copy of which, together with a schedule of the names of the boys so delivered, is herewith transmitted.

The said schedule exhibits the date of the expiration of the terms of commitment of each boy, and from which it appears that at this date only six of the same are properly inmates of the school. Two are still there whose terms have expired, and one is confined in the San Francisco County Hospital. And, moreover, it appears that the six boys above referred to are capable of earning their own livelihood.

The undersigned have visited the school from time to time, during the last two years. At such visits they have always collected the State Reform School boys, examined their condition, and inquired of them as to their treatment. The answers to such inquiries have uniformly been in commendation of the officers having the immediate charge of them and the school. The boys have always been found clean, well clad and sufficiently fed with good and wholesome food.

As is shown by this report, the State's interest in the school has now about ceased. The undersigned would therefore recommend that the boys now at work in shops and on the farm be immediately apprenticed, as is provided by the statute under which they have been held, or that the Legislature authorize their discharge, and that the sentence of the

boy confined in the hospital be remitted and he returned to his parents, or the county from which he was committed.

Besides the above, there are four boys absent on leave. These are visiting their parents, and as is understood, with the expectation of remaining indefinitely.

Their names are as follows, viz: Edwin Louis, Paul Reynolds, Eugene Moore, Lorry Willard.

Names of boys remaining in school—Albert Stutts, John Durkin (term expired December nineteenth, eighteen hundred and sixty-eight), Francis Carabajales, James Roy, George C. Towle, John E. Jones, Alunda Rufin (term expired March twenty-third, eighteen hundred and sixty-nine), James Livey, Henry Sterins (in hospital).

Escaped—Samuel B. Wells.

In closing, it may be well to add that under the present organized regime, there are and will be conflicting interest, so long as facilities are offered by paying a small amount of fees to entitle a member to become a Director. From the experience of the past two years, it is clear that any appropriation, unless the State has the entire control of the school, would be an unwise expenditure of public money.

Should the State become owner of the farm and buildings, then, by an outlay of fifty thousand dollars, applied in erecting separate buildings, it might become a useful charity. Commitments should be for a definite period, or until of age, so as to facilitate mechanical employments, which could then be thoroughly learned by serving a regular apprenticeship; moral and mental instruction disseminated, which in after life would be likely to make them good and useful citizens. And, moreover, under such a system of management, like similar institutions in other States, in a short time the Industrial School of San Francisco might become self-sustaining, while the recipients would become useful members of society.

Finally, we will barely remark, that the State Reform School farm buildings, stock and furniture have been unemployed during the last two years.

The Directors of the Industrial School were anxious to obtain the use of the school library, maps and other school appliances, and to that end made application to the Secretary of State, who has them in charge, offering to give bonds for their return, or to pay their value when required to do so. This application, together with other propositions to pay a yearly rental for the farm, etc., were for some reason refused, or an answer neglected. Letters relating thereto are herewith transmitted.

Very respectfully,

Your obedient servants,

JAMES M. SHARKEY,
LORENZO HUBBARD,
Commissioners.

C O N T R A C T .

Whereas, in and by an Act of the Legislature of the State of California, entitled an Act to provide for the inmates of the State Reform School, approved March thirtieth, eighteen hundred and sixty-eight, J. M. Sharkey and Lorenzo Hubbard were appointed Commissioners to contract with the authorities of the Industrial School, at San Francisco, for the care, maintenance and instruction of the boys or inmates legitimately of the State Reform School, on such terms and conditions as they might be able to effect, subject, however, to the limitations imposed by said Act;

And, whereas, said J. M. Sharkey and said Lorenzo Hubbard, as such Commissioners, have covenanted and agreed with the Industrial School Department of the City and County of San Francisco, for the care, maintenance and education of the inmates of the State Reform School, as hereinafter expressed :

Now, this indenture witnesseth: That the said Industrial School Department of the City and County of San Francisco, in consideration of the covenants and agreements hereinafter contained, and of the payment by the State of California of the moneys hereinafter expressed, have covenanted and agreed, and do hereby covenant and agree, with the State of California, to receive, in the Industrial School of the City and County of San Francisco, all the boys and inmates of the State Reform School, at Marysville, Yuba County, California; and to care for, maintain and instruct the said boys, and each of them, for the full term of one year and eleven months from the first day of May, A. D. eighteen hundred and sixty-eight.

Said boys and inmates shall have at all times, during the continuance of this agreement, maintenance of good and sufficient quality and quantity, medical attendance, medicines and instruction, and shall be treated in all respects as other inmates of said Industrial School, and shall be cared for, provided for and governed by virtue of and under the regulations and rules governing said Industrial School, and not otherwise.

The Board of State Medical Visitors shall at all times, during the continuance of this agreement, have the right to visit said Industrial School, for the purpose of ascertaining the condition and treatment of the inmates thereof received and cared for under this agreement.

The State of California, in consideration of the foregoing covenant and agreement of the said Industrial School Department, promises and agrees, to and with the said Industrial School Department, to pay to said Department the sum of fifteen dollars, in gold coin, per month, for each boy or inmate of the State Reform School who may be received and maintained by said Industrial School Department, pursuant to the terms of this agreement, for the term of one year and eleven months from the first day of May, A. D. eighteen hundred and sixty-eight; payments to be made monthly, under such regulations as the proper authorities may prescribe; and to be paid to and received by said Industrial School

Department, in full for all charges, claims and demands of said Department upon the State of California, for the care, maintenance and education of said boys, and each of them.

In witness whereof, the said Industrial School Department has caused these presents to be subscribed by its President and Secretary, in duplicate; and the said J. M. Sharkey and Lorenzo Hubbard, Commissioners as aforesaid, have hereunto set their hands, in duplicate, this sixteenth day of April, A. D. eighteen hundred and sixty-eight.

[Signed.]

JACOB DEETH,
President Industrial School.

JAMES S. THOMSON,
Secretary I. S. D.

JAMES M. SHARKEY.
LORENZO HUBBARD.

SCHEDULE.

REFORM SCHOOL BOYS LEFT THE SCHOOL.

No.	Name.	How left.
1	Crane, John D.....	.....Term expired November 28, 1868
2	Livingston, Philip.....	.....Term expired August 7, 1868
3	Wells, Samuel B.....	.....Escaped May 5, 1868
4	Castello, J. D.....	.....Term expired May 24, 1868
5	Louis, Edwin.....	.....Leave of absence July 24, 1868
6	Gragiola, Isadore.....	.....Term expired September 29, 1868
7	Jennings, Nicholas.....	.....Term expired October 20, 1868
8	Spellman, John.....	.....Term expired August 10, 1869
9	Reynolds, Paul.....	.....Leave of absence June 2, 1869
10	Billareal, Mattias.....	.....Term expired July 7, 1868
11	Moore, Eugene.....	Removed to Co. Hospital April 2, 1869
12	Willard, Lorry.....	.....Term expired February 5, 1869
13	Lynch, Thomas.....	Term expired October 12, 1868. Sent to Almshouse.
14	Collier, William.....	.....Term expired April 12, 1869
15	Collier, Walter.....	.....Term expired April 12, 1869
16	Wilson, Henry.....	.....Term expired June 10, 1869
17	Ramshart, John.....	.....Term expired May 4, 1869
18	Barnes, Lewis.....	.....Term expired July 20, 1869

REMAINING HERE.

No.	Name.	How employed.	Age.	Term expire.
19	Stultz, Albert.....	In shoe shop...	14	..February 22, 1873
20	Durkin, John.....	In tailor shop..	15	..December 19, 1868
21	Carabajales, Francisco.....	On farm.....	18	...December 7, 1869
22	Ray, James.....	In tailor shop..	15	.....May 10, 1870
23	Towle, George C.....	Unemployed ...	12	.....March 10, 1873
24	Jones, John.....	In dormitory...	13	.....July 12, 1871
25	Rufin, Alunda.....	In schoolroom..	15	.....March 23, 1869
26	Ran, Daniel.....	Unemployed....	12	September 14, 1876
27	Bailey (or Sirey), James...	In tailor shop..	14	.....Indefinite term
28	Bailey (or Stevens), Henry	In dormitory...	14	.....Indefinite term

CORRESPONDENCE.

SAN FRANCISCO, May 4th, 1868.

H. L. Nichols, Esq., M. D. :

SIR: Having been informed that the Reform School ranch is to be leased for two years, and being accustomed to a farming life, I now make an offer of three hundred dollars for the ranch, stock and farming implements of said Reform School, to be used by me for all purposes pertaining to farming for the period mentioned above. I will enter into bonds for the safe keeping of any property belonging to said Reform School, while under my charge, death of stock by natural consequences excepted. As to my reputation and character, I can refer you to some of the most respectable merchants in this city. On my way to Marysville, to bring the boys down here, last Tuesday, I had the pleasure of an introduction to you. In conclusion, I may state that I have always been (and am) a staunch and consistent Democrat.

Respectfully yours,

THOMAS FINN.

SAN FRANCISCO, May 4th, 1868.

H. L. Nichols, Esq. :

DEAR SIR: Permit me to solicit the position of taking charge of the Reform School at Marysville, together with the stock and material on the grounds. I will give you ample bonds and security for the faithful performance of my contract for two years. I also agree to keep the house, grounds and material in good order, and shall turn over the same to you at the expiration of my lease or contract. All the consideration I require is the use and occupation thereof, and if I can make anything of the crops next year I am willing to pay the State one-third of the net profits. I will beg leave to refer you to W. G. Badger, Battery street; Meagher, Taaffe & Co., Dr. James M. Sharkey and others, if necessary.

Hoping to hear from you at your convenience,

I have the honor to be yours, etc.,

JOHN J. FOLEY.

R E P O R T

OF THE

BOARD OF TRUSTEES

OF THE

HOME FOR THE CARE OF THE INEBRIATE,

SAN FRANCISCO.

D. W. GELWICKS, STATE PRINTER

REPORT.

SAN FRANCISCO, December 1st, 1869.

To the Honorable Senate and House of

Representatives of the State of California :

The Board of Trustees of "The Home for the Care of the Inebriate" submit the following report of the financial and general condition of the Home at the present time; also, a detailed statement of the working of said institution since the last report made to your honorable body, December first, eighteen hundred and sixty-seven:

Whole number of patients admitted.....	537
Number of males.....	473
Number of females.....	64
Number admitted in December, 1867.....	21
Number admitted in January, 1868.....	17
Number admitted in February, 1868.....	24
Number admitted in March, 1868.....	28
Number admitted in April, 1868.....	11
Number admitted in May, 1868.....	27
Number admitted in June, 1868.....	25
Number admitted in July, 1868.....	28
Number admitted in August, 1868.....	19
Number admitted in September, 1868.....	28
Number admitted in October, 1868.....	32
Number admitted in November, 1868.....	24
Number admitted in December, 1868.....	26
Number admitted in January, 1869.....	25
Number admitted in February, 1869.....	17
Number admitted in March, 1869.....	29
Number admitted in April, 1869.....	23
Number admitted in May, 1869.....	21
Number admitted in June, 1869.....	14
Number admitted in July, 1869.....	19
Number admitted in August, 1869.....	26
Number admitted in September, 1869.....	15
Number admitted in October, 1869.....	22
Number admitted in November, 1869.....	16
Total admitted.....	537

Number of cases of delirium tremens.....	313
Number of cases of insanity.....	10

Of the whole number of patients admitted, two hundred and thirty were natives of the United States, and three hundred and seven of other countries, as follows :

Natives of the United States.....	230
Natives of Ireland.....	195
Natives of England.....	42
Natives of Germany.....	33
Natives of Scotland.....	13
Natives of France.....	7
Natives of Sweden.....	3
Natives of Norway.....	2
Natives of other countries.....	12
Total	537

FINANCIAL ACCOUNT.

Receipts from December 1st, 1867, to December 1st, 1869.....	\$8,000 25
Amount on hand per last report.....	460 76
	<hr/>
	\$8,461 01
Disbursements.....	8,231 24
	<hr/>
	\$229 77

Of the above receipts, the sum of six thousand dollars was received from the city treasury, and the sum of two thousand dollars and twenty-five cents from subscriptions and donations to the Home at various times during the past two years.

The Board would most respectfully request that your honorable body will make such an appropriation as you may deem proper, for the purpose of enlarging the accommodations for the increasing number of patients which are received into the Home, not only from this city and county, but from all parts of the State—a large majority of whom are in the worst stages of delirium tremens.

Respectfully submitted on behalf of the Board of Trustees.

FRANK G. EDWARDS, President.

J. D. BARNARD, Secretary.

R E P O R T

OF

JAMES W. HAWKINS, AGENT,

IN THE CONTESTED ELECTION CASE OF

P. W. MURPHY VS. R. PACHECO,

WITH

TESTIMONY AND DOCUMENTS.

D. W. GELWICKS, STATE PRINTER

SACRAMENTO, January 24th, 1870.

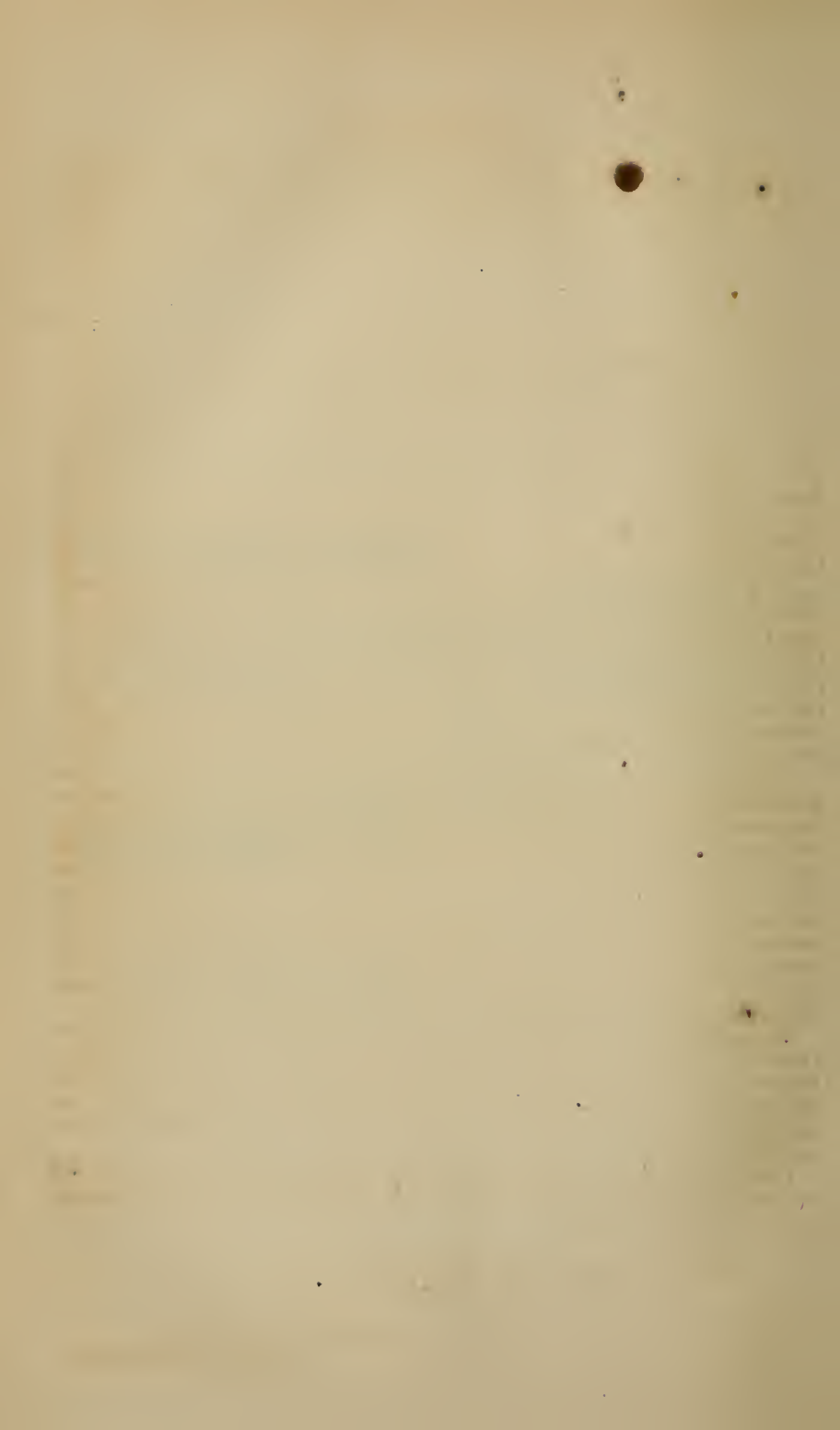
HON. J. W. MANDEVILLE,
Chairman Senate Committee on Elections :

SIR : Inclosed herewith I have the honor to transmit my report, with accompanying documents.

I am, sir, very respectfully,

Your obedient servant,

JAMES W. HAWKINS,
Agent to Committee.



REPORT OF JAMES W. HAWKINS.

To the Honorable the Senate Committee on Elections:

GENTLEMEN: According to instructions received from you on the twenty-second day of December, eighteen hundred and sixty-nine, to visit the Counties of San Luis Obispo and Santa Barbara for the purpose of taking testimony and subpoenaing persons in the contested election case between R. Pacheco and P. W. Murphy, I immediately proceeded to the above counties. On my arrival at San Luis Obispo, I immediately called on the County Clerk of said county, who at once gave me all the necessary facilities I required in furtherance of my mission. An abstract of same, marked "A," I herewith return to your committee, which, after a careful and rigid examination, I find to be correct.

I then proceeded to Santa Barbara, and on my arrival called on the County Clerk to give me the full returns of the election for Senator in the general election of eighteen hundred and sixty-nine. He furnished me with an abstract (herewith inclosed and marked "B,"), as returns shown by the tally list of the different precincts. At the same time, he informed me there was a package in the office, purporting to be the ballots cast for Senator in the Precinct of Santa Paula, *unopened*, but which had been received some several days after the *tally list* of that precinct had been received, and said package the Board of Supervisors refused to open. The Clerk of said county tendered me the package, which I declined receiving, not knowing whether I would be justifiable in so doing.

On my return to Sacramento, I informed a portion of your committee relative to this Santa Paula District package, and was notified by them to send immediately to the County Clerk of Santa Barbara County for said package, accompanied with his affidavit that the package was as he received it, and, up to this time, I have received neither package or letter from him.

I have also learned from the attorneys of both parties in the case that all the evidence that could be taken and obtained have been forwarded to your honorable body.

I have the honor to be, respectfully,
Your obedient servant,

JAMES W. HAWKINS,
Agent to Committee.

ABSTRACT A.

Abstract of the vote cast at the general election held on September first, A. D. eighteen hundred and sixty-nine, in the County of San Luis Obispo, State of California, for the office of State Senator:

PRECINCTS.	P. W. Murphy.	R. Pacheco.....
San Simeon.....	126	72
Mono	72	75
San Luis Obispo.....	156	162
Arroyo Grande.....	22	52
Santa Margarita.....	24	16
Estulla.....	15	2
Hot Springs....	35	5
San Miguel.....	11	9
Total.....	461	393

STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, Charles W. Dana, County Clerk, and ex officio Clerk of the Board of Canvassers, do hereby certify the foregoing to be a full, true and correct copy of the official vote cast for State Senator in said county, as it appears of record in my office.

[SEAL.] In witness whereof, I have hereunto set my hand and affixed the seal of the County Court, this twenty-seventh day of December, A. D. eighteen hundred and sixty-nine.

CHARLES W. DANA,
County Clerk.

ABSTRACT B.

Abstract of the vote cast at the general election held on September first, A. D. eighteen hundrd and sixty-nine, in the County of Santa Barbara, State of California, for the office of State Senator :

PRECINCTS.	R. Pacheco.....	P. W. Murphy.
Santa Clara.....	32	68
Santa Paula.....	72	39
San Buenaventura.....	62	57
La Cañada.....	23	32
Carpinteria.....	23	43
Santa Barbara.....	305	204
La Patera.....	53	42
Santa Ynez.....	10	23
Los Alamos.....	23	35
Santa Maria.....	20	4
Total.....	623	547

STATE OF CALIFORNIA, }
County of Santa Barbara. } ss.

I, F. A. Thompson, County Clerk, and ex officio Clerk of the Board of Canvassers, in and for said county and State, do hereby certify the foregoing to be a full, true and correct copy of the official vote cast for State Senator in said county, as it appears of record in my office.

[SEAL.] In witness whereof, I have hereunto set my hand and affixed my official seal this the twenty-ninth day of December, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON,
County Clerk.

STATEMENT.

To Frank Thompson, Esq., County Clerk of the County of Santa Barbara, in the State of California, and ex officio Clerk of the District Court of the First Judicial District for said county, and to Romualdo Pacheco, and to all persons whomsoever, who may be in anywise concerned in the premises :

Be it known by these presents, that I, Patrick W. Murphy, a qualified voter of the Third Senatorial District of said State, and of the County of San Luis Obispo, a portion of said senatorial district, do hereby contest the alleged right of the said Romualdo Pacheco to a seat in the Senate of the said State of California, as Senator from the said Third Senatorial District of said State, which said district is composed of the said Counties of San Luis Obispo and Santa Barbara; and, thereupon, I do aver and state, and allege, that I am a qualified voter of the said Third Senatorial District of said State, and a qualified voter in and now, and for seven years last past, an actual resident of the said County of San Luis Obispo, in said Third Senatorial District.

And as grounds of said contest, I do aver and charge, and the fact is, that on the first day of September, eighteen hundred and sixty-nine, the said Romualdo Pacheco was not a duly qualified elector of the said Third Senatorial District, nor of the said County of Santa Barbara, nor of the said County of San Luis Obispo.

The said Romualdo Pacheco, on the said first day of September, eighteen hundred and sixty-nine, had not been a citizen and inhabitant of the State of California for the space of one year next before the said last named day.

The said Romualdo Pacheco, on the said first day of September, eighteen hundred and sixty-nine, had not been a citizen and inhabitant of the said Third Senatorial District of said State for the space of one year next before the said last named day.

The said Romualdo Pacheco, on the said first day of September, eighteen hundred and sixty-nine, had not been a citizen and inhabitant of the said County of Santa Barbara, nor a citizen and inhabitant of the said County of San Luis Obispo, for the space of one year next before the said last named day.

And, as further and other grounds of said contest, I do aver and charge, and the fact is, that at the election held in pursuance of law and the proclamation of his Excellency, the Governor of the State of California, in the said Third Senatorial District, composed of said Counties of Santa Barbara and San Luis Obispo, for choice of a Senator from said Third Senatorial District, on the first day of September, eighteen hundred and sixty-nine, only two persons, to wit, the said Romualdo Pacheco and myself, the said Patrick W. Murphy, the contestant herein, were candidates for said office of Senator from said district, and no third person was voted for, for said office, at said election; and, in truth and in fact, the said contestant, Patrick W. Murphy, did, at said election, actually receive, in the said County of San Luis Obispo, a majority of sixty-eight votes over the said Romualdo Pacheco for said office of Senator from said Third Senatorial District; and the said Romualdo Pacheco did not have or receive, in the said County of Santa Barbara, a majority over this contestant, the said Patrick W. Murphy, exceeding the number of thirty-six votes for said office of Senator.

That the said Romualdo Pacheco did not, in fact, have a majority of the votes cast at said election, in the County of Santa Barbara, for Senator from said Third Senatorial District, exceeding thirty-six votes; because the fact is, that there was counted for said Pacheco, unjustly and unlawfully, by the Board of Supervisors of the said County of Santa Barbara, upon the count of the votes of said last named county, had by said Board, upon demand made therefor, forty votes, as cast for him (Pacheco) at the Precinct of Santa Paula and the Precinct of San Buenaventura, in said County of Santa Barbara; whereas, in fact, said votes did not, nor did any of them, appear to have been cast for said Pacheco, and the same were not, nor was any of them, cast for the said Pacheco. That at said recount the said Board of Supervisors did not have in their possession, nor in anywise before them, any ballots cast, or purporting to have been cast, at either of said precincts, but only the tally lists of said vote, as made out at said precincts; and that said Board of Supervisors, on said recount, did, without any evidence before them sufficient to warrant them in so doing, and without any pretended evidence whatsoever, except the said tally lists returned, proceed to count said votes, by means of what appeared on said tally lists only, and thereupon did pretend and determine that said Pacheco had received, at said two precincts together, a majority of forty votes over the contestant, the said Patrick W. Murphy. Whereas, in truth and in fact, upon a true and fair count of said ballots, if the same had been truly and correctly counted, the said Pacheco did not, at either of said precincts, have any majority of votes over this contestant.

Therefore, and for each of the said several causes and reasons aforesaid, the undersigned, Patrick W. Murphy, does contest the alleged right of the said Romualdo Pacheco to a seat in the Senate of the State of California, as Senator from the said Third Senatorial District, and does claim and assert that, in truth and in fact, he, this contestant, the said Patrick W. Murphy, has been duly elected a Senator from said district, and as such claims his seat in the Senate of the State of California.

P. W. MURPHY.

STATE OF CALIFORNIA, }
Santa Clara County. }

I, Patrick W. Murphy, contestant herein, being first duly sworn, do solemnly swear and declare, upon my corporal oath, that I have heard the foregoing statement read, and that I know the contents thereof, and that the said statement is true, of my own knowledge, except as to the matters stated therein upon my information or belief, and that, as to these matters, I believe it to be true.

P. W. MURPHY.

Sworn to and subscribed before me, this fifteenth day of September, eighteen hundred and sixty-nine.

JOHN B. HEWSON,
County Clerk.

[SEAL.]

N O T I C E .

In the matter of the contested election of Romualdo Pacheco, as Senator of the Third Senatorial District of the State of California,

To ROMUALDO PACHECO :

SIR: You are hereby notified that your election as Senator of the Third Senatorial district of the State of California is contested by Patrick W. Murphy, and that depositions concerning the matter of such contest will be taken on Monday, October eighteenth, A. D. eighteen hundred and sixty-nine, at ten o'clock A. M., at the Court-house in the Town and County of Santa Barbara, California, before Francis Cooley, Esq., and William D. Hobson, Esq., Justices of the Peace of the County of Santa Barbara, whom I have commissioned for said purpose.

Witness my hand and seal of the County Court of the County of Santa Barbara on this twenty-second day of September, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON,
County Clerk.

SHERIFF'S OFFICE, }
County of San Luis Obispo. }

I hereby certify that I received the within notice on Friday, the twenty-fourth day of September, A. D. eighteen hundred and sixty-nine, and personally served the same on Monday, the twenty-seventh day of September, A. D. eighteen hundred and sixty-nine, on the within named Romualdo Pacheco, by delivering to him personally, in the County of San Luis Obispo, a certified copy of said notice and a certified copy of the statement in the proceeding named in said notice attached to said copy of notice dated September twenty-seventh, A. D. eighteen hundred and sixty-nine.

JOSÉ J. DE LA GUERRA,
Sheriff.

By E. B. MONYS, Deputy.

R E P L Y .

In the matter of the contested election of Romualdo Pacheco, as Senator of the Third Senatorial District.

Now comes Romualdo Pacheco, and replying to the statement of Patrick Murphy, the contestant, denies that on the first day of September, A. D. eighteen hundred and sixty-nine, he, the said Pacheco, was not a qualified elector of the Third Senatorial District of the State of California; but he avers that he was, on the said day, in all respects a qualified elector of the said senatorial district. He denies that, on the said first

day of September, eighteen hundred and sixty-nine, he had not been a citizen or inhabitant of the State of California for the space of one year next before said September first, eighteen hundred and sixty-nine. He denies that on September first, eighteen hundred and sixty-nine, he had not been a citizen or inhabitant of the said senatorial district for the space of one year next before the last named day; he denies that on the first day of September, eighteen hundred and sixty-nine, he had not been a citizen or inhabitant of the County of San Luis Obispo for the space of one year next before the last named day.

The respondent denies that, at the said election, he did not receive, in the County of Santa Barbara, a majority over the contestant exceeding thirty-six votes. He denies that he did not, in fact, have a majority of the votes cast at the said election, in the County of Santa Barbara, for Senator from the said Third District, exceeding thirty-six votes. He denies that the Board of Supervisors of the County of Santa Barbara either unjustly or improperly counted for him forty votes as cast at the precincts of Santa Paula and San Buenaventura; or that they unjustly or improperly counted for him any vote or votes in either of the said precincts. He denies that any of the said votes did not appear to have been cast for him, and he denies that any vote so counted for him was not cast for him; but avers that all the votes counted for him in the said precincts were actually given for him, and were properly counted.

He denies that the said Board of Supervisors did not have in their possession, or before them, any ballots cast at either of the said precincts. He denies that the said Board of Supervisors, on the recount, had nothing before them except the tally lists of said precincts, for he avers that he is informed and believes that the said Board of Supervisors had before them the ballots given for Senator at the precinct of San Buenaventura, and counted the said ballots; and that they had before them the tally lists and the certificates signed by the Judges of Election of the said precincts, in which certificates and tally lists were set forth the true number of votes cast at said precincts for Senator. And he denies that he did not, at either of the said precincts, have a majority of votes over the contestant, for he says that in the precinct of Santa Paula he received a majority of thirty-three votes over the said contestant, and in the said two precincts, taken together, he received a majority of thirty-eight votes over the said contestant, and was properly declared to be the Senator of the Third Senatorial District.

R. PACHECO.

STATE OF CALIFORNIA, }
County of Santa Barbara. }

Ronraldo Pacheco, being duly sworn, says, that he has heard the foregoing reply read, and knows the contents thereof, and the same is true of his own knowledge, except as to the matters therein stated upon information and belief, and as to those matters, that he believes it to be true.

R. PACHECO.

Sworn to and subscribed before me on this eighteenth day of October, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON,
County Clerk.

Per C. A. THOMPSON, Deputy.

SHERIFF'S OFFICE, }
County of Santa Barbara. }

I, Arza Porter, Sheriff of the County of Santa Barbara, do hereby certify that on the eighteenth day of October, eighteen hundred and sixty-nine, I received a duly certified copy of the foregoing reply, and personally served a true copy thereof on the contestant, P. W. Murphy, personally, on said eighteenth day of October, eighteen hundred and sixty-nine, in the County of Santa Barbara.

Per C. A. THOMPSON, Under Sheriff.

ARZA PORTER,
Sheriff.

NOTICE.

In the matter of the contested election of State Senator for the Counties of San Luis Obispo and Santa Barbara, State of California.

PATRICK W. MURPHY,
Contestant,
vs.
ROMUALDO PACHECO,
Respondent.

} Before F. Cooley and W. D. Hobson,
Esqs., Justices of the Peace in and for
the County of Santa Barbara.

In the above matter, I, F. Cooley, do hereby certify that W. D. Hobson, one of the Justices above named, has not appeared at the place appointed to hold the examination of said cause, to wit, at the Court-house of the County of Santa Barbara, up to two o'clock P. M. of this day, the eighteenth day of October, A. D. eighteen hundred and sixty-nine.

F. COOLEY,
Justice of the Peace.

COMMISSION TO TAKE TESTIMONY.

STATE OF CALIFORNIA, } ss.
County of Santa Barbara. }

In the matter of the contested election of Romualdo Pacheco, as Senator of the Third Senatorial District of the State of California.

To FRANCIS COOLEY and WILLIAM D. HOBSON, Justices of the Peace :

SIRS: Whereas Patrick W. Murphy filed in my office, on the twentieth day of September, A. D. eighteen hundred and sixty-nine, a statement wherein he contests the election of Romualdo Pacheco, as Senator of the Third Senatorial District of California, and claims that he, the said contestant, was elected to the said office;

Now, therefore, in accordance with the provisions of section seventy-seven of the Act of the Legislature of the State of California, entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and of the amendments thereof, I hereby appoint and commission you, Francis Cooley, Esquire, Justice of the Peace of the Second Township, and you, William D. Hobson, Esquire, Justice of the Peace of the First Township, of the County of Santa Barbara, to meet at the Court-house, in the Town and County of Santa Barbara, State of California, on Monday, the eighteenth day of October, A. D. eighteen hundred and sixty-nine, at ten o'clock A. M., for the purpose of taking the depositions of such witnesses as the parties to such contest may choose to examine.

Witness my hand and the seal of the County Court of the County of Santa Barbara, on the twenty-second day of September, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON,

[SEAL.]

County Clerk of the County of Santa Barbara.

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OFFICE OF THE SHERIFF }
Of the County of Santa Barbara. }

I hereby certify that I received the within notice on the twenty-second day of September, A. D. eighteen hundred and sixty-nine, and personally served the same on the twenty-third day of September, A. D. eighteen hundred and sixty-nine, on William D. Hobson and Francis Cooley, the persons named in said notice, by delivering to each one a duly certified copy of said notice.

Witness my hand, this, the twenty-ninth day of September, A. D. eighteen hundred and sixty-nine.

ARZA PORTER,
Sheriff.

By O. N. AMES, Deputy.

—

SUBPŒNA.

In the Justice's Court of Second Township, in the Town and County of Santa Barbara, State of California.

PATRICK W. MURPHY, Contestant,	} Subpœna.
Plaintiff,	
against	
ROMUALDO PACHECO, Respondent,	
Defendant.	

The People of the State of California send greeting, to R. G. Surdam, William Ayers:

We command you that, all and singular business and excuses being laid aside, you appear and attend before the undersigned, one of the Justices of the Peace of the said township, in the said county, in the Court-

house, on the eighteenth day of October, A. D. eighteen hundred and sixty-nine, at ten o'clock A. M., then and there to testify in the above entitled action, now pending before said Justice, on the part of the contestant; and disobedience will be punished as a contempt by the said Court, and you will also forfeit to the party aggrieved the sum of one hundred dollars, and all damages which may be sustained by your failure to attend.

Given under my hand, this eleventh day of October, A. D. eighteen hundred and sixty-nine.

F. COOLEY,
Justice of the Peace of said Township.

STATE OF CALIFORNIA, }
County of Santa Barbara. } ss.

I hereby certify that I served the within subpœna, by showing the said within original to each of the following named persons, and delivering a true copy thereof to each of the said persons, personally, on the fifteenth day of October, A. D. eighteen hundred and sixty-nine, at the County of Santa Barbara, to wit: William Ayres and R. G. Surdam.

Fees, two dollars; mileage, nine dollars.

ARZA PORTER,
Sheriff.

COMMISSION TO TAKE TESTIMONY.

STATE OF CALIFORNIA, }
County of Santa Barbara. } ss.

In the matter of the contested election of Romualdo Pacheco, as Senator of the Third Senatorial District of the State of California.

To JOSÉ MARIA COVARRUBIAS, Justice of the Peace of Second Township:

SIR: Whereas, Patrick W. Murphy filed in my office, on the twentieth day of September, A. D. eighteen hundred and sixty-nine, a statement, wherein he contests the election of Romualdo Pacheco as Senator of the Third Senatorial District of California, and claims that he, the said contestant, was elected to the said office; now, therefore, in accordance with the provisions of section seventy-seven of the Act of the Legislature of the State of California, entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty, and of the amendments thereof, I hereby appoint and commission you, José Maria Covarrubias, Esquire, Justice of the Peace of the Second Township of the County of Santa Barbara, State of California, in place of W. D. Hobson, Esquire, absent, to meet at the Court-house in said town and county, on Monday, the eighteenth day of October, A. D. eighteen hundred and sixty-nine, at three o'clock P. M., for the purpose of taking the depositions of such witnesses as the parties to such contest may choose to examine.

Witness my hand and the seal of the County Court of the County of Santa Barbara, on this eighteenth day of October, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON,
County Clerk.

[SEAL.]

TESTIMONY.

At three o'clock p. m. on this eighteenth day of October, A. D. eighteen hundred and sixty-nine, before the undersigned, Commissioners herein, and Justices of the Peace in the Second Township in and for the County of Santa Barbara, duly commissioned and sworn, personally appeared Patrick W. Murphy, contestant, and Romualdo Pacheco, respondent; and William D. Hobson, a Justice heretofore appointed of this Commission, failing to appear, José M. Covarrubias, a Justice of the Peace in and for the Second Township in and for the County of Santa Barbara, now being duly appointed on the Commission, in the place of the said Hobson, as appears by the Commission hereto annexed, the parties, in person and by their counsel—J. H. Kincaid for contestant and Charles E. Huse for respondent—consent to the substitution of Justice Covarrubias in place of said Hobson.

William Ayers, a witness for the contestant, being duly sworn, testifies as follows:

TESTIMONY OF WILLIAM AYERS.

My name is William Ayers; I live in San Buenaventura; my age is sixty-seven years; I have resided there about one year and nine months; Mr. Surdam deposited some election papers and ballots in September last with me; on the second morning of September, before daylight, he gave me a roll of papers and ballots; the ballots were on a string; they were not inclosed or sealed, but separate from other papers; I cannot say how long they were in my possession; they were there until they were taken away; I put them in a cigar case that I had there in the back of the bar in my public bar-room; there was a roll of papers besides the ballots deposited with me; the papers were taken away after breakfast sometime, I cannot say positively the exact time; it strikes me the ballots remained after the papers were taken away, but I cannot say positive, and that they remained with me until sent for by the Supervisors; I cannot say positively whether they remained in the cigar case or not; I understood that the ballots were from the Santa Paula Precinct; I was not an officer at the election in that precinct; I did not act as Inspector or Clerk, or Judge at any time on that day at the election in that precinct; I was not County Clerk or Deputy County Clerk at any time during the month of September last; I was Postmaster in September, but I had a deputy under me, Mr. Bard; I was not sworn to take charge of those papers; I did not make any affidavit; the cigar case is sometimes locked and sometimes unlocked; my son has access to the cigar case; others might have done so and I not know it; Mr. Surdam brought the papers to me and requested me to lay them by for safety; they were not brought to me as Postmaster at the time, nor did I receive them as Postmaster; I was in and out of the room where the ballots were, sometimes in the bar-room and sometimes in the dining-room; the other papers of which I have spoken of I understood to be the poll list and the tally list; I am not positive; it strikes me that Mr. Surdam and myself opened them, but I am not certain; I keep a hotel at San Buenaventura; the cigar case of which I have referred to is in my public bar-room; sometimes the ballots were left alone; very often myself and son would both be out of the bar-room; I cannot say positively, but I think the

ballots were not taken away when the papers were taken, but I think they were not, but cannot say positively.

Cross-Examined by Respondent.

The cigar case spoken of had a lock on it; sometimes it was locked and sometimes not locked; most of the time it was more unlocked than locked; it is often left unlocked when we are not in the bar-room; this cigar case stands behind the counter, or on the back of the bar; I cannot say whether those ballots were meddled with or not while they were in my bar.

Q.—Have you any reason to believe that any person meddled with those ballots while they were in your house?

[This question was objected to by the contestant, on the grounds that it is immaterial.]

A.—I have no reason to believe that they were.

Q.—Are you a Democrat or Republican?

A.—I am a Democrat. [This last question objected to on the grounds of it being irrelevant.] While those ballots were in my hotel myself and son had charge of the bar-room.

Q.—Is your son a Democrat or Republican? [This question objected to by contestant on the grounds of its being irrelevant.]

A.—He is not of age yet, but when he is I hope he will be a Democrat. When I delivered up the ballots I did not discover that there had been any change in them; they were on a string, and I did not see anything about them; I did not pay any particular attention to the ballots; they were handed to me and I handed them back.

Re-Examined by Contestant.

The Post-office was kept at that time up in Doctor Bard's drug store, not in my house; my bar-room was full of persons all night after the election, and after the ballots were brought there.

WILLIAM AYERS.

Subscribed and sworn to before me.

F. COOLEY,
Justice of the Peace.

The further examination in this case is continued until to-morrow, the nineteenth instant, at nine o'clock A. M.

OCTOBER 19th.

The parties met in pursuance to adjournment.

R. G. Surdam, a witness for the contestant, being duly sworn, testifies as follows:

TESTIMONY OF R. G. SURDAM.

My name is R. G. Surdam; I live in the Santa Paula Precinct, in the First Township in Santa Barbara County; my age is thirty-three years; I was, on the first of September last, Judge of the election at the Santa Paula Precinct; the officers of that precinct on that election day were,

myself and E. S. Woolley were Judges; the Clerks were, Mr. Steele, tally clerk, and Richard Fellows; there was no Inspector; after closing the polls we proceeded to count the ballots, E. S. Woolley taking the ballots from the box and handing them to me to read to the tally clerks; I then strung the ballots on a string, separate; when we had finished counting the ballots the two tally clerks made out the return in presence of the Judges and many citizens; the Clerks and Judges certified to the return, and gave into my charge the returns and ballots to forward to the County Clerk; I received the returns rolled up, not sealed, with a string around them; and the ballots I inclosed in a piece of brown paper, not sealed, with instructions from the Judge to seal and forward them on my arrival at San Buenaventura; on my arrival at San Buenaventura I met a party of friends at Mr. Ayers' hotel; they were somewhat excited; for fear that the ballots and returns would get destroyed, I gave them to Mr. Ayers, the witness who was here yesterday, for safe keeping; Mr. Ayers assured me they would be safe in his charge, the Post-office and Express offices, being closed at that hour of the night; in taking the tickets from my pocket the paper wrapper partially came off; Mr. Ayers received the tickets without any wrapper; the time that I deposited the tickets with Mr. Ayers there was a large crowd in the bar-room, congratulating one another on successes, by drinking; I remained there about one hour, being about three or four o'clock, to the best of my knowledge, on the morning of the second of September; I then went to bed; I called for the returns on the same day, from seven to nine o'clock in the morning; I received the returns and tickets in the same condition, as far as I could discover, as when delivered to Mr. Ayers; the Post-office being closed at that time, I deposited the returns in the safe at the Santa Clara House, kept by Pierson & Hornbeck; they remained there until evening; I sealed the said returns before depositing them in the safe; I received the returns and handed them over to Dr. Bard, the Express agent and Postmaster, and took his receipt; he then re-sealed them and addressed them to the County Clerk; the ballots I retained in my possession until sent for by the Supervisors of Santa Barbara County; they were sent for, to the best of my recollection, four or five days afterwards; I received an order for the ballots and enrolling lists from the Board of Supervisors, in the evening of Monday after the election, to the best of my recollection; I then proceeded with the ballots to the house of E. S. Woolley, the Judge of Election of Santa Paula Precinct; Mr. Woolley and myself then examined the tickets and counted them, and found the count correct; also examined the Senatorial heading and found them to correspond with the tally list; we then took the tickets and sealed them the same as they were presented to the County Clerk; we then took the tickets, enrolling list and list of voters, and proceeded to the election clerks of the Santa Paula Precinct; they examined the enrolling list and tally list thoroughly, and certified to it; I then took the tally list and enrolling list and ballots and delivered them to the Deputy County Clerk, Charles A. Thompson; I could not say positive whether Mr. Woolley examined the senatorial headings or not; I am positive I did. [Witness was here shown the poll list, enrolling list, and statement of number of votes of a precinct, showing the votes cast at said precinct at the late general election, and the officers voted for and the number of votes received, on file in the office of the County Clerk of Santa Barbara County, certified

copies of which are hereto attached, marked Exhibit "A.")] I recognize these papers as being the same made out by the Board of Election of the Santa Paula Precinct on September first, eighteen hundred and sixty-nine; the name of the precinct is Santa Paula Precinct; it is called by many of the citizens Santa Clara Precinct; it was written by mistake, by Mr. Woolley, Santa Clara Precinct, instead of Santa Paula Precinct. [Witness shown original certificate of the election returns herein above referred to by the witness, and asked if the certificate was signed by any person as Inspector of Elections at that precinct, at the general election held September first, eighteen hundred and sixty-nine.] Witness answered: "No, sir; it was not signed by any Inspector; there was no Inspector; I think there is a precinct called the Santa Clara Precinct."

Q.—Did Antonio Flores, William Lee Gordon Hitchcock, Edward Byrne and Elijah Lareus, actually vote at the Santa Paula Precinct, at the general election held September first, eighteen hundred and sixty-nine?

[Question objected to by counsel for respondent as irrelevant and immaterial, for the reason that the reception of illegal votes is not alleged as one of the grounds of contest.]

A.—Antonio Flores, William Lee Gordon Hitchcock and Edward Byrne, I can certify, voted; I am doubtful about Elijah Lareus.

Cross-Examination.

San Buenaventura is twelve miles from Santa Paula Precinct, where the polls were held; the reason why the election returns of Santa Paula Precinct were not sealed up on the day of election, was for the want of mucilage or sealing wax; when I speak in my testimony of examining the senatorial heading, I mean to say I examined the tickets by counting the names of Patrick Murphy and Romauldo Pacheco, and found them to correspond with the tally list.

Q.—Please look at the original statement of the number of votes cast for Senator at the Santa Paula Precinct at the last election, and state when and where those numbers of votes were written out.

A.—They were written out at Santa Paula Precinct, at the house of Kelsey and Collins, the place where the polls were held the first day of September, A. D. eighteen hundred and sixty-nine, after the votes were counted.

Q.—Please state how many votes Pacheco received, as appears from the original statement, now in your hands.

[Objected to by counsel for contestant, on the grounds that the testimony is incompetent and inadmissible to prove the number of votes cast for the respondent at that election, and because said returns are irregular, incomplete and illegal.]

A.—Pacheco, seventy-two.

Q.—How many were cast for Murphy?

A.—Thirty-nine.

Q.—Please examine the statement of votes, as written out in letters and numbers on the document headed "Certificate to be attached to the poll list and list of voters," and state whether the statement of votes appearing on this document is the same as when originally placed there.

A.—Yes, sir; it is the same; I see no alteration.

Q.—Do you know and can you state to which of the political parties

the officers of the election at Santa Paula Precinct, at the last election, belonged? if so, state.

[Objected to by counsel for contestant, on the grounds of irrelevancy.]

A.—The two Clerks were Democrats, the two Judges were Republicans; I am one of those Judges.

Direct Examination resumed.

The Clerks were sitting at the table with the Judges when the ballots were being counted, but they did not read the ballots.

Q.—Was there any flour convenient to be had to make paste at the place where the polls were held?

A.—I could not say; I did not ask.

R. G. SURDAM.

Sworn and subscribed to before me.

F. COOLEY, J. P.

Whereupon, the Court adjourned until the twenty-first day of October, A. D. eighteen hundred and sixty-nine.

Now, on this twenty-first day of October, A. D. eighteen hundred and sixty-nine, the Court having met pursuant to adjournment, and P. W. Murphy and R. Pacheco being present by counsel, C. A. Thompson was called as a witness on the part of contestant, and being first duly sworn, testified as follows:

TESTIMONY OF C. A. THOMPSON.

My name is C. A. Thompson; I reside at Santa Barbara; my age is twenty-four years; I am Deputy County Clerk of Santa Barbara County; I have been such officer for about three years; I have in my custody the record of the Board of Supervisors of Santa Barbara County, sitting as a Board of Canvassers of the last general election, September first, eighteen hundred and sixty-nine. [The contestant now offers in evidence the original record of the proceedings of the Board of Supervisors of Santa Barbara County, sitting as a Board of Canvassers of the returns of the general election held September first, eighteen hundred and sixty-nine, so far as the same relates to the returns of the vote for Senator of Santa Barbara County, as the same appears on pages one hundred and ninety-one to one hundred and ninety-six, inclusive, of said record, an authenticated copy of which is hereunto annexed, marked "B," as a part of the evidence in this case.] I cannot explain why it is that the returns from the Santa Paula Precinct recite that they are from the Santa Clara Precinct; there are two precincts—one the Santa Clara, and the other the Santa Paula Precinct, in Santa Barbara County. It does not appear in the record of the Board of Supervisors that these precincts are designated by any name. I see by the returns that there are two distinct precincts, the Santa Paula Precinct and the Santa Clara Precinct; the Santa Clara Precinct is known as Precinct No. 1, and the Santa Paula Precinct as Precinct No. 2; I was present and acted as Clerk of the Board of Supervisors, sitting as a Board of Canvassers, in the forenoon of the day of the eighth of September, A. D. eighteen hundred and sixty-nine.

Cross-Examined.

I suppose that the Precinct of Santa Paula takes its name from the rancho called Santa Paula; the valley in which that rancho is, is called the Santa Clara Valley; the river flowing through that valley is known as the Santa Clara River.

CHAS. A. THOMPSON.

Sworn to and subscribed before me, this twenty-first day of October, A. D. eighteen hundred and sixty-nine.

J. M. CORVARUBIUS, J. P.

The contestant here offered in evidence a certified copy of registration of Romualdo Pacheco in Sacramento County, marked "C," and a certified copy of the registration of Romualdo Pacheco in San Luis Obispo County, marked "D."

The respondent objects to the introduction of these certificates, upon the ground that they are irrelevant, immaterial and incompetent, because they merely show the date of registration and change of registration, but not the fact or time of residence or change of residence.

Whereupon an adjournment was taken until one and a half o'clock P. M., of this day.

Now, at one and a half o'clock P. M., the parties by their counsel being present, F. A. Thompson was called as a witness for contestant, and sworn.

TESTIMONY OF F. A. THOMPSON.

My name is F. A. Thompson; my age is thirty-two years; I am County Clerk of Santa Barbara County; I have been such officer since November, A. D. eighteen hundred and sixty-one; I am ex officio Clerk of the Board of Supervisors of Santa Barbara County; I was present and acted as Clerk of the Board of Supervisors when they were sitting as a Board of Canvassers, to canvass the vote of the general election held September first, A. D. eighteen hundred and sixty-nine, on all the days of their sessions, except a portion of the first day, when C. A. Thompson, the Deputy Clerk, was present; Mr. Thomas Hope demanded a recount of the vote for Senator of Santa Barbara County; the demand was made September sixth, eighteen hundred and sixty-nine; in pursuance of that demand, the votes from all the precincts in the county, except Santa Paula Precinct, were counted by the Board of Supervisors; I mean, by votes, the ballots accompanying the returns; the ballots from the Santa Paula Precinct were not counted at all by the Board of Supervisors.

Q.—Please to state whether or not the Supervisors declared the result for the office of Senator without having recounted the ballots from Santa Paula Precinct; and if so, how many votes did they allow and count for the respondent, for the office of Senator, from that precinct, and how many for contestant?

[Question objected to by respondent, on the ground that the answer of this witness will be only secondary evidence; the records of said Board being the primary evidence.]

A.—They did declare the result without counting the ballots from Santa Paula Precinct, and gave respondent seventy-two votes and contestant thirty-nine votes in that precinct—the respondent being Romualdo Pacheco and the contestant being P. W. Murphy.

Q.—Deducting the number of votes which you have just stated were allowed by the Board of Supervisors for Santa Paula Precinct for the office of Senator, what would be the result of the vote in the County of Santa Barbara for the respondent and contestant for the office of Senator, as is shown by the recount of the ballots, from all the other precincts of the county?

[Question objected to by the respondent, on the ground that it is irrelevant and immaterial, and refers to a hypothetical case.]

A.—The respondent, Romualdo Pacheco, would have five hundred and fifty-one votes, and the contestant, P. W. Murphy, five hundred and forty-seven votes.

Cross-Examined.

Q.—What are the politics of the Board of Supervisors who canvassed that election, if you know?

A.—I do not think I know.

Q.—Do you know which of the candidates for Senator they supported at that election?

[Objected to by contestant on the grounds of irrelevancy.]

A.—I think two of the Board supported the contestant.

F. A. THOMPSON.

Sworn to and subscribed before me, this twenty-first day of October, A. D. eighteen hundred and sixty-nine.

J. M. COVARRUBIAS, J. P.

TESTIMONY OF R. PACHECO.

And Romualdo Pacheco was called and sworn as a witness on behalf of contestant.

My name is Romualdo Pacheco; my age is thirty-eight years.

Q.—Do you know what number of votes were counted and allowed to you for Senator, at the last general election in the County of San Luis Obispo, and how many for contestant?

[Question objected to by respondent, upon the ground that the answer of this witness to this question would be merely secondary and hearsay evidence, the best evidence being the official statement of the Board of Canvassers of the last general election in the County of San Luis Obispo.]

A.—I do not know how many votes we each received; I do know Mr. Murphy's majority was sixty-eight; I mean by that, Mr. Murphy received sixty-eight more votes than I did for Senator in San Luis Obispo County.

Cross-Examined.

Q.—State how you know the matter to which you have just deposed; what were your sources of information?

[Objected to by contestant, that the question to this witness is wholly immaterial.]

A.—I read the minutes of the Board of Canvassers, where the minutes made that declaration.

Q.—Were those minutes signed and approved?

A.—Yes, sir.

Q.—Were the ballots recounted in San Luis Obispo County?

A.—They were not, to my knowledge.

Q.—Do you know by what means the Board of Canvassers of San Luis Obispo County arrived at that result on the senatorial election?

[Objected to by contestant, that the question does not refer to any matter in the examination in chief.]

A.—By the usual means of counting over the certificates and statements of the different precincts.

R. PACHECO.

Sworn to and subscribed before me, this twenty-first day of October, A. D. eighteen hundred and sixty-nine.

J. M. COVARRUBIAS, J. P.

Whereupon an adjournment was had until the twenty-second day of October, A. D. eighteen hundred and sixty-nine, at nine o'clock A. M.

Now, on this twenty-second day of October, A. D. eighteen hundred and sixty-nine, at nine o'clock A. M., the Court met pursuant to adjournment, and there were present the several parties and their counsel, and the contestant having no further testimony to offer, rested his case; and the respondent having no testimony to offer, the case was rested by him.

Wherefore we, the undersigned, F. Cooley and J. M. Covarrubias, Justices of the Peace in and for the Second Township of the County of Santa Barbara, duly appointed Commissioners to take testimony herein, hereby certify that the foregoing is all the testimony taken in said cause, to wit: Exhibits "A," "B," "C" and "D," and the oral testimony, reduced to writing, of William Ayres, R. G. Surdam, C. A. Thompson and F. A. Thompson, and R. Pacheco, who were the only witnesses sworn, and we further certify that after the said witnesses, William Ayres, R. G. Surdam, C. A. Thompson, F. A. Thompson and R. Pacheco, had given in their testimony, the same was reduced to writing in their presence, and read over to them, and by them corrected and subscribed and sworn to before us, as the same appears herein, and the exhibits referred to in the testimony, as Exhibits "A," "B," "C" and "D," are hereunto annexed.

F. COOLEY,
J. M. COVARRUBIAS,

Justices of the Peace, Second Township, Santa Barbara County, California.

EXHIBIT A.

ANNEXED TO THE DEPOSITIONS OF R. G. SURDAM AND C. A. THOMPSON.

Poll list, containing the names and enrollment of all persons residing in First Township Election District, in the County of Santa Barbara, legally qualified to vote at Second Precinct, in said District, at the general election to be held on the first day of September, eighteen hundred and sixty-nine, enrolled and made out pursuant to the provisions of the Registry Act.

Number	Name.	Age,	Occupation.	Citizenship.	Locality of Residence.	Date of Entry.	Voted or vote rejected, Sec. 31, Reg. Act.
				Native or Naturalized.			
1	Adams, William G.....	30	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
2	Akers, John.....	32	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
3	Alexander, William D.....	38	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
4	Albuts, Albertoes Cornelius...	42	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
5	Amick, John Randolph.....	39	Farmer	Native	Santa Clara Valley	Aug. 30	Voted.
6	Adams, Andrew.....	42	Borreguero	Native	Moore's Rancho...	Sept. 1	Voted.
7	Baker, William Burr.....	38	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
8	Blakeney, Frank.....	46	Farmer	Naturalized	Santa Clara Valley	Aug. 2	Voted.
9	Boyle, Peter.....	58	Farmer	Naturalized	Santa Clara Valley	Aug. 2	Voted.
10	Breen, Thomas.....	35	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
11	Brishal, Sherlock.....	53	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
12	Brown, Francis Marion.....	...	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
13	Baker, Alpha.....	29	Farmer	Native	Santa Clara Valley	.....	.....
	Byrne, Edward.....	25	Farmer	Naturalized	Santa Clara Valley	Sept. 1	Voted.
	Baker, Alphe.....	29	Farmer	Native	Santa Clara Valley	Aug. 30	Voted.
14	Caldwell, Tarleton.....	54	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
15	Caldwell, William Henry.....	26	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
16	Cornwall, Josephus Adamson	71	Clergyman	Native	Santa Clara Valley	Aug. 2	Voted.
17	Cornwall, George Anderson...	29	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
18	Collins, John Stevenson.....	21	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
19	Clark, Edward.....	34	Farmer	Naturalized	Santa Clara Valley	Aug. 30	Voted.
20	Cota, Francisco.....	26	Farmer	Native	Santa Clara Valley	Sept. 1	Voted.
20	Dominguez, Prudencia.....	34	Farmer	Native	Camulos	Aug. 30	Voted.
21	Decker, Charles Henry.....	36	Farmer	Native	Santa Clara Valley	.....	Voted.
	Davis, Gary.....	35	Farmer	Native	Santa Clara Valley	Aug. ...	Voted.
22	Dennis, Frank Bowden.....	25	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
23	Dunlap, Robert Rankins.....	45	Minister.....	Native	Santa Clara Valley	Aug. 2	Voted.
24	Denure, Peter J.....	68	Farmer	Native	Santa Clara Valley	Aug. 30	Voted.
25	Denure, John P.....	34	Farmer	Native	Santa Clara Valley	Aug. 30	Voted.
26	Denure, Delos DeWolf.....	22	Farmer	Native	Santa Clara Valley	Sept. 1	Voted.
27	Dunton, Henry C.	35	Farmer	Native	Santa Clara Valley	Aug. ...	Voted.
28	Davis, Richard Price.....	28	Farmer	Naturalized	Santa Clara Valley	Aug. 30	Voted.
29	Duval, Eugene A.....	33	Farmer	Naturalized	Santa Clara Valley	Aug. 30	Voted.
30	Dally, William.....	58	Farmer	Naturalized	Santa Clara Valley	Sept. 1	Voted.
31	Davis, G. P. Vau Buren.....	35	Farmer	Naturalized	Santa Clara Valley	Aug. 2	Voted.
32	Eaton, Hayward Parker.....	25	Farmer	Native	Santa Clara Valley	.....	.....
33	Evans, William.....	34	Farmer	Native	Santa Clara Valley	Aug. 2	Vote
34	Everett, Hiram.....	46	Farmer	Native	Santa Clara Valley	Aug. 2	Vote
35	Flint, Henry Pinney.....	35	Rancher ..	Native	Santa Clara Valley	Aug. 2	Voted.
36	French, Charles Lec.....	21	Miner.....	Native	Santa Clara Valley	Aug. 2	Voted.
37	Grimes, James.....	23	Farmer	Native	Santa Clara Valley	Aug. 2	Voted.
38	Gardner, Dayton Pulaski.....	32	Farmer	Native	Santa Clara Valley	Aug. 30	Voted.

EXHIBIT A—Continued.

Number	Name.	Age.....	Occupation.	Citizenship.		Locality of Residence.	Date of Entry.	Voted or vote rejected, Sec. 31, Reg. Act.
				Native or Naturalized.				
39	Gardner, Taylor Morgan.....	28	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
40	Gordon, William Andrew.....	29	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
41	Gray, Alexander.....	33	Farmer	Naturalized		Santa Clara Valley	Aug. 3	Voted.
42	Higgins, Elijah B.....	42	Teacher.....	Native		Santa Clara Valley	Sept. 1	Voted.
43	Hector, Harrison.....	26	Farmer	Native		Santa Clara Valley	Aug. 30	Voted.
44	Hector, Wilson.....	27	Blacksmith	Native		Santa Clara Valley	Aug. 30	Voted.
45	Hector, John Jr.....	34	Blacksmith	Native		Santa Clara Valley	Aug. 30	Voted.
46	Hector, John, Sr.....	62	Blacksmith	Native		Santa Clara Valley	.....	Voted.
47	Haines, Abner.....	45	Farmer	Native		Santa Clara Valley	2	Voted.
48	Haukinson, Tunis U.....	45	Farmer	Native		Santa Clara Valley	2	Voted.
49	Hopkins, Warren Leonard.....	48	Teamster...	Native		Santa Clara Valley	30	Voted.
	Hammond, Seth.....	35	Miner	Native		Santa Clara Valley	Sept. 1	Voted.
50	Hopkins, Hopkin.....	36	Miner	Naturalized		Santa Clara Valley	Sept. 1	Voted.
	Hitchcock, William L. S.....	29	Farmer.....	Native		Santa Clara Valley	.....	Voted.
51	Hampton, Wade.....	64	Ranchero...	Native		Santa Clara Valley	.....	Voted.
	Hewitt, Orson P.....	21	Farmer.....	Native		Santa Clara Valley	Sept. 1	Voted.
52	Johnson, Eric.....	45	Blacksmith	Naturalized		Santa Clara Valley	Aug. 2	Voted.
53	Johnson, James Willis.....	35	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
54	Jay, Alfred	31 or	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
55	Keller, Charles Ferdinand.....	22	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
56	Kelsey, Joseph Burnett.....	28	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
57	Kelsey, John.....	36	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
58	King, Manuel.....	55	.....	Native		Santa Clara Valley	.....	Voted.
	Kenipp, Jeremiah.....	32	Farmer	Native		Santa Clara Valley	Aug. 30	Voted.
59	Lopez, José Maria.....	55	Ranchero...	Native		Camulos	Aug. 30	Voted.
60	Lineberger, Lewis, Jr.....	53	Farmer	Native		Santa Clara Valley	Aug. 30	Voted.
61	Levick, William.....	29	.....	Native		Santa Clara Valley	Aug. 30	Voted.
	Larsen, Elijah.....	58	Farmer	Norway		Santa Clara Valley	Sept. 1	Voted.
62	McClean, Jacob.....	38	Miner.....	Native		Santa Clara Valley	Aug.	Voted.
63	Millhouse, Gustavus E.....	46	Miner.....	Naturalized		Santa Clara Valley	Aug. 2	Voted.
64	McCaffrey, Charles.....	35	Farmer	Native		Santa Clara Valley	Aug. 30	Voted.
65	Mann, Eson.....	39	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
66	Montgomery, John.....	37	Farmer	Naturalized		Santa Clara Valley	Aug. 30	Voted.
67	Nutt, Washington Jackson.....	36	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
68	Neal, Harvey.....	28	Farmer	Native		Santa Clara Valley	.....	Voted.
69	O'Harra, William.....	23	Farmer	Native		Santa Clara Valley	Aug. 3	Voted.
70	O'Harra, Charles.....	31	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
71	O'Harra, Hugh.....	21	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
72	Olibes, Ramundo.....	69	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
73	Olibes, Nicolas.....	36	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
74	Olibes, Luis.....	35	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
75	Olives, Santiago.....	39	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
76	Olives, Dolores.....	33	Ranchero...	Native		Santa Clara Valley	.....	Voted.
77	Olives, Trinidad.....	32	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
78	Olives, José.....	31	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
79	Olives, Francisco.....	21	Ranchero...	Native		Santa Clara Valley	Aug. 3	Voted.
80	Palmtree, James.....	57	Cook.....	Native		Santa Clara Valley	Aug. 2	Voted.
81	Parsons, Isaac Webster.....	33	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
82	Peterson, James.....	29	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
83	Peterson, Franklin Linn.....	25	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
84	Richardson, George Martin.....	46	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
85	Richards, William De Forrest	32	Farmer	Native		Santa Clara Valley	Aug. 30	Voted.
86	Sweeney, Levy Woodson.....	54	.....	Native		Santa Clara Valley	Aug. 30	Voted.
87	Saltmarsh, John Batchelder..	36	Oil miner...	.....		Santa Clara Valley	Aug. 3	Voted.
88	Smith, Barney.....	34	Farmer	Native		Santa Clara Valley	.....	Voted.
89	Stevens, Josiah Everett.....	49	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
90	Stone, Horatio.....	44	Farmer	Native		Santa Clara Valley	Aug. 2	Voted.
91	Stott, Charles.....	49	Oil miner...	Naturalized		Santa Clara Valley	.....	Voted.
	Surdam, Royce Gaylard.....	31	Oil miner..	Native		Santa Clara Valley	Aug. 2	Voted.
92	Selvey, John Lester.....	.....	.....	.....		.....	.....	Voted.
93	Stevens, John.....	33	.....	Native		Santa Clara Valley	Aug. 30	Voted.

EXHIBIT A — Continued.

Number.....	Name.	Age.....	Occupation.	Citizenship.	Locality of Residence.	Date of Entry.	Voted or rejected, Sec. 31, Reg. Act
				Native or Naturalized.			
94	Steele, Allan T.....	28	Farmer.....	Native.....	Santa Clara Valley	Aug. 2	Voted.
95	Smith, Alvin Billings.....	38	Miner.....	Native.....	Santa Clara Valley	Aug. 30	Voted.
96	Stanesfield, Levy G.....	27	Borreguero	Native.....	Santa Clara Valley	Aug. 30	Voted.
97	Selvey, John Lester.....	21	.....	Native.....	Santa Clara Valley	Sept. 1	Voted.
	Soto, John.....	26	.....	Native.....	Santa Clara Valley	Sept. 1	Voted.
98	Thom, Mahlon.....	39	Farmer.....	Native.....	Santa Clara Valley	Aug. 2	Voted.
99	Turner, Sylvester.....	26	Carpenter..	Naturalized	Santa Clara Valley	Aug. 30	Voted.
100	Tico, José de Jesus.....	28	Ranchero...	Native.....	Santa Clara Valley	Aug. 30	Voted.
101	Thain, Edward J.....	22	Borreguero	Naturalized	Santa Clara Valley	Aug. 30	Voted.
102	Ury, William.....	24	Farmer.....	Native.....	Santa Clara Valley	.....	.....
104	Vaula, Antonio.....	28	Ranchero...	Native.....	Santa Clara Valley	Aug. 30	Voted.
105	Valle, Ygnacio del.....	60	Farmer.....	Native.....	Santa Clara Valley	Aug. 2	Voted.
106	Valle, Juventino del.....	27	Farmer.....	Native.....	Santa Clara Valley	Aug. 2	Voted.
107	Valle, José Ygnacio del.....	30	Ranchero...	Native.....	Santa Clara Valley	.....	.....
108	Williams, Edward Benton.....	38	Farmer.....	Native.....	Santa Clara Valley	Sept. 1	Voted.
	Welch, E. S.....	27	Herder.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
109	Wasou, Milton.....	51	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
110	Wiley, Jacob Scott.....	51	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
111	Wiley, Jay.....	21	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
112	Willard, Charles Hiram.....	26	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
113	Wooley, Ebeuezer Sayre... ..	56	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
114	Wooley, James Sayre.....	21	Farmer.....	Native.....	Santa Clara Valley	Sept. 2	Voted.
	Youree, James Ross.....	49	Farmer.....	Native.....	Santa Clara Valley	Sept. 1	Voted.

STATE OF CALIFORNIA, }
County of Santa Barbara, Santa Clara Election District. }

We, the undersigned, do hereby certify that the within enrolling list contains the names of all persons enrolled for the general election held at said district on the first day of September, A. D. eighteen hundred and sixty-nine.

E. S. WOOLLEY, }
R. G. SURDAM, } Judges.

A. T. STEELE, }
RICHARD FELLOWS, } Clerks.

EXHIBIT A—Continued.

List of voters, containing the names of all persons who actually voted at the Santa Clara Precinct, in the First Election District, at the county election held on the first day of September, eighteen hundred and sixty-nine.

Number....	NAMES OF VOTERS.	Poll List Number..
1	John Hector, Sr.....	46
2	R. P. Davis.....	28
3	J. Palmtree.....	80
4	Thomas Breen.....	10
5	Orson P. Hewitt.....	.....
6	C. H. Decker.....	21
7	Trinidad Olives.....	77
8	H. Hector.....	43
9	John Hector, Jr.....	45
10	M. Thom.....	98
11	J. W. Johnson.....	53
12	Wilson Hector.....	44
13	A. Gray.....	41
14	J. A. Cornwall.....	16
15	G. V. Davis.....	31
16	William J. Montgomery.....	66
17	G. A. Cornwall.....	17
18	Peter Boyle.....	9
19	W. H. Caldwell.....	15
20	Edward Byrne.....	.....
21	J. R. Yansee.....	.....
22	Peter J. Denure.....	24
23	John Soules.....	.....
24	Charles O'Hara.....	70
25	Frank Blakney.....	8
26	Charles Williard.....	112
27	José Olives.....	78
28	G. M. Richardson.....	84
29	Flores Antonio.....	.....
30	Seth Hammond.....	.....
31	W. L. Hopkins.....	49
32	John B. Saltmarsh.....	87
33	W. A. Gordon.....	40
34	Raymundo Olivas.....	72
35	Francisco Olivas.....	79
36	Nicolas Olivas.....	73
37	Louis Olivas.....	74
38	James Peterson.....	82
39	Alfred Joy.....	54
40	Santiago Olives.....	75
41	E. A. Duval.....	29
42	W. D. Alexander.....	3
43	W. D. Richards.....	85

EXHIBIT A—Continued.

Number....	NAMES OF VOTERS.	Poll List Number..
44	William O'Hara.....	69
45	Prudentia Domingues.....	20
46	Milton Warson.....	109
47	Ygnacio del Valle.....	106
48	T. Caldwell.....	14
49	Antonio Varelas.....	104
50	Maria Lopez.....	59
51	José de Jesus Tico.....	100
52	Joventino del Valle.....	106
53	Hugh O'Hara.....	71
54	L. G. Stanchfield.....	6
55	Jacob T. Wiley.....	110
56	W. G. Adams.....	1
57	Andrew Adams.....	6
58	D. D. Denure.....	26
59	H. C. Denton.....	27
60	James S. Wooley.....	114
61	W. B. Blake.....	7
62	Jeremiah Kenniff.....	
63	John P. Denure.....	25
64	Frank B. Dennis.....	22
65	Gus. E. Milhouse.....	63
66	John R. Amick.....	5
67	E. G. Welch.....	
68	L. W. Sweeney.....	86
69	Edward Clark.....	19
70	R. R. Dunlap.....	23
71	W. J. Nutt.....	67
72	Elijah Taranes.....	
73	A. B. Smith.....	95
74	J. W. Parsons.....	81
75	Charles McCaffrey.....	64
76	John Acres.....	2
77	William Dally.....	30
78	Charles Lee French.....	36
79	E. J. Thain.....	101
80	Lewis Leneberger, Jr.....	60
81	Dayton P. Gardner.....	38
82	F. M. Gardner.....	39
83	Elson Mann.....	65
84	John Kelsey.....	57
85	Tunis V. Hankinson.....	48
86	E. S. Wooley.....	113
87	William Leveck.....	61
88	J. E. Stevens.....	89
89	Sherlock Bristol.....	11
90	Abner Haines.....	47

EXHIBIT A—Continued.

Number....	NAMES OF VOTERS.	Poll List Number...
91	William L. G. Hitchcock.....	56
92	Joseph B. Kelsey.....	35
93	H. P. Flint.....	4
94	Albertis C. Alberts.....	18
95	John S. Collins.....	99
96	Sylvester Turner.....	83
97	Frank Peterson.....	93
98	John Stephens.....	37
99	James Gaimes	92
100	John L. Salva.....	20
101	Francisco Cota.....	94
102	R. G. Surdam.....	34
103	A. T. Steele.....	108
104	Alpha Baker.....	12
105	Hiram Everett.....	90
106	E. B. Williams.....	32
107	Francis M. Brown.....	42
108	Horatio Stone.....	111
109	Haywood P. Eaton.....	
110	E. B. Higgins.....	
111	J. A. Wiley.....	

STATE OF CALIFORNIA, }
County of Santa Barbara. }

We, the undersigned, do hereby certify that the within list of voters is a correct list of voters voting at Santa Clara Election District, general election held in said election district on the first day of September, A. D. eighteen-hundred and sixty-nine.

E. S. WOOLLEY, }
R. G. SURDAM, } Judges.

A. T. STEELE, }
RICHARD FELLOWS, } Clerks.

EXHIBIT A—Continued.

Certificate to be attached to the Poll List and List of Voters.

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA, }
 Santa Clara First Election District. }

We, the undersigned, do hereby certify that at the general election held in said election district on the first day of September, A. D. eighteen hundred and sixty-nine—

R. Pacheco received for the office of State Senator seventy-two (72) votes.

P. W. Murphy received for the office of State Senator thirty-nine (39) votes.

J. E. Stevens received for the office of member of Assembly sixty (60) votes.

Angel G. Escandon received for the office of member of Assembly forty-two (42) votes.

A. Porter received for the office of Sheriff eighty-eight (88) votes.

R. D. Ord received for the office of Sheriff twenty-three (23) votes.

F. A. Thompson received for the office of County Clerk seventy-three (73) votes.

E. R. Den received for the office of County Clerk thirty-eight (38) votes.

J. J. Elizalde received for the office of County Assessor fifty-five (55) votes.

Thomas Riggs received for the office of County Assessor thirty-six (36) votes.

A. Janssens received for the office of County Assessor sixteen (16) votes.

W. T. Williams received for the office of District Attorney seventy-six (76) votes.

J. H. Kincaid received for the office of District Attorney thirty-five (35) votes.

F. W. Frost received for the office of County Treasurer seventy-three (73) votes.

J. E. Goux received for the office of County Treasurer thirty-eight (38) votes.

W. H. Norway received for the office of County Surveyor seventy-four (74) votes.

H. H. Lenville received for the office of County Surveyor thirty-seven (37) votes.

J. C. Hamar received for the office of Superintendent of Schools sixty-nine (69) votes.

T. G. Williams received for the office of Superintendent of Schools twenty-one (21) votes.

W. A. Hayne received for the office of Superintendent of Schools twenty (20) votes.

C. J. Freeman received for the office of Coroner seventy-four (74) votes.

A. H. O'Neil received for the office of Coroner thirty-seven (37) votes.

F. Dennis received for the office of Constable one (1) vote.

C. Gibbon received for the office of Constable one (1) vote.

D. W. Pierpont received for the office of Supervisor — votes.

T. R. Bard received for the office of Supervisor seventy-three (73) votes.

C. W. Thacker received for the office of Supervisor thirty-seven (37) votes.

T. V. Hankinson received for Roadmaster seventeen (17) votes.

In witness whereof, we have hereunto set our hands this first day of September, A. D. eighteen hundred and sixty-nine.

R. G. SURDAM,
E. S. WOOLLEY, } Judges.

A. T. STEELE,
RICHARD FELLOWS, } Clerks.

STATE OF CALIFORNIA,
County of Santa Barbara, } ss.

I, F. A. Thompson, County Clerk of the County of Santa Barbara, do hereby certify that the foregoing is true, full and correct copies of the original poll list, list of voters and certificate attached to poll list and list of voters, as the same appear on file in my office.

{
SEAL.
}

In witness whereof, I have hereunto set my hand and affixed my official seal the sixteenth day of October, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON, County Clerk.

Per C. A. THOMPSON, Deputy.

EXHIBIT B.

Certified copy of Record, Board of Supervisors, Santa Barbara County.

BOARD OF SUPERVISORS,
Monday, September 6th, A. D. 1869, at 2 o'clock P. M. }

Present—Supervisors De la Guerra, Bard and Dibblee, sitting as a Board of Canvassers.

The Board then proceeded to canvass the vote cast at the general election held on the first instant, for State Senator, member of Assembly and county officers; and on demand being made by Thomas Hope, a resident and voter of this county, the Board proceeded to recount the ballots for State Senator and District Attorney.

On opening the package of election returns from San Buenaventura Precinct, it was found that no ballots were returned. The canvassing of the returns thereof was thereupon postponed. On opening the returns from Santa Paula Precinct, it was found that no list of voters and no ballots were returned. The canvassing of such returns was also postponed.

The Board thereupon ordered a messenger sent to the Clerks and Judges of Election of San Buenaventura and Santa Paula Precincts, to cause the ballots cast at their respective precincts, and the list of voters at the Santa Paula Precinct, to be returned to the County Clerk forthwith.

The Board then adjourned until the seventh instant, at nine and a half o'clock A. M.

F. A. THOMPSON, Clerk.

ANTO. MA. DE LA GUERRA, President of the Board.

BOARD OF SUPERVISORS,
Tuesday, September 7th, A. D. 1869, at 9:30 o'clock A. M. }

Present—A full Board, sitting as a Board of Canvassers.

The minutes of the Board were read and approved.

The Board proceeded with the canvassing of the votes cast at the general election held on the first instant, for State Senator, member of Assembly and county officers, and with the recount of ballots for Senator and District Attorney, until twelve o'clock M., when the Board adjourned until the eighth instant, at ten o'clock A. M.

F. A. THOMPSON, Clerk.

ANTO. MA. DE LA GUERRA, President of the Board.

BOARD OF SUPERVISORS,
 Wednesday, September 9th, A. D. 1869, at 10 o'clock A. M. }

Present—A full Board, sitting as a Board of Canvassers.

The minutes of the Board were read and approved.

In response to the message of the Board, Mr. R. G. Surdam, Judge of Election of Santa Paula Precinct, appeared before the Board, having, on the day previous, deposited with the County Clerk a box, accompanied by the certificate of L. C. McKeeby, Clerk, and William Ayers, Judge of Election of San Buenaventura Precinct, that said box contained the original ballots of said precinct; also, a package, certified by him to contain the list of voters of Santa Paula Precinct, and one package certified by him to contain the ballots of the Santa Paula Precinct.

H. H. Linville, Chairman of the Democratic County Central Committee, presented to said Board, on behalf of P. W. Murphy, a candidate for the office of Senator, a protest against receiving any more election returns, other than those that were returned on Monday, September sixth, eighteen hundred and sixty-nine, which protest the Board ordered filed.

The Board then proceeded with the canvassing of the election returns, and with the recount of ballots for Senator and District Attorney, from the Precinct of San Buenaventura.

R. G. Surdam was then sworn and examined touching returns from Santa Paula Precinct, and his examination continued until two o'clock P. M., to which time the Board took a recess.

TWO O'CLOCK P. M.

Present—A full Board.

The taking of the testimony of R. G. Surdam was proceeded with, finished, and ordered filed.

The Board thereupon proceeded to consider the question of receiving the package of ballots from Santa Paula Precinct, whereupon a vote was taken. Supervisors De la Guerra and Dibblee voted "nay," and Supervisor Bard "yea," the majority of the Board being of the opinion that the same are not properly identified as the ballots cast at the election held on the first instant at the Santa Paula Precinct. Said package is therefore rejected, and remains unopened.

Supervisor Bard voted "yea," believing that the ballots are sufficiently identified by the sworn affidavit of one of the Judges of Santa Paula Precinct, and ought to be taken as *prima facie* evidence. The majority of the Board, considering that there are no ballots before them from which to make the count, as demanded, of votes for Senator and District Attorney, cast at Santa Paula Precinct, proceeded to count the entire vote cast thereat from the certificate of the Judges of Election attached to the poll list and list of voters of said precinct, such list being the same contained in the package brought by Mr. Surdam, on the seventh instant.

H. H. Linville objected to the Board proceeding to canvass the returns of Santa Paula Precinct, on the ground that said returns are defective.

The Board then proceeded with the canvassing, and declared the following result, viz :

Statement of the votes polled at a general election, held in the County of Santa Barbara, on the first day of September, eighteen hundred and sixty-nine, for State Senator, member of Assembly and County officers.

Number.....	PRECINCTS.	R. Pacheco.....	P. W. Murphy.
1	Santa Clara.....	32	68
2	Santa Paula.....	72	39
3	San Buenaventura	62	57
4	La Cañada.....	23	32
1	La Carpinteria.	23	43
2	Santa Barbara.....	305	204
3	La Patera.....	53	42
1	Santa Ynez.....	10	23
2	Los Alamos.....	23	35
3	Santa Maria.....	20	4
	Totals.....	623	547

STATE OF CALIFORNIA, }
County of Santa Barbara. }

We hereby declare that the whole number of votes cast in the County of Santa Barbara, at the general election held on the first day of September, A. D. eighteen hundred and sixty-nine, as appears by the election returns from the several precincts, were one thousand one hundred and seventy-seven votes, as follows :

Santa Clara Precinct	100
Santa Paula Precinct.....	111
San Buenaventura Precinct.....	120
La Cañada Precinct.....	51
La Carpinteria Precinct	66
Santa Barbara Precinct	517
La Patera Precinct	97
Santa Ynez Precinct	33
Los Alamos Precinct	58
Santa Maria Precinct	24

And that the above statement of the number of votes cast in the several precincts, for the several officers above named, is correct.

SANTA BARBARA, September 8th, A. D. 1869.

ANTO. MA. DE LA GUERRA,
President of the Board of Supervisors.

THOMAS B. DIBBLEE,
THOMAS R. BARD,
Board of Supervisors of Santa Barbara County.

The Board then adjourned until the ninth instant, at nine and a half o'clock A. M., for the purpose of approving the minutes.

F. A. THOMPSON, Clerk.

ANTO. MA. DE LA GUERRA, President Board Supervisors.

BOARD OF SUPERVISORS,
Thursday, September 9th, A. D. 1869, at 9:30 o'clock A. M. }

Present—A full Board, sitting as a Board of Canvassers.
The minutes of the Board were read and approved.
The Board then adjourned *sine die*.

F. A. THOMPSON, Clerk.

ANTO. MA. DE LA GUERRA, President.

STATE OF CALIFORNIA,
County of Santa Barbara. }

I, F. A. Thompson, County Clerk of the County of Santa Barbara, and ex officio Clerk of the Board of Canvassers thereof, do hereby certify that the foregoing is a true, full and correct copy of the minutes of said Board, from September sixth to September ninth, inclusive, regarding the vote cast in said county, at the general election held on the first day of September, eighteen hundred and sixty-nine, for State Senator, as approved and declared by said Board, and as the same appear of record in my office.

{
SEAL.
}

In witness whereof, I have hereunto set my hand and affixed my official seal, on this twenty-first day of October, A. D. eighteen hundred and sixty-nine.

F. A. THOMPSON, Clerk.

per C. A. THOMPSON, Deputy.

EXHIBIT C.

CERTIFICATE OF REGISTRATION OF ROMUALDO PACHECO, IN SACRAMENTO COUNTY.

Great Register—Sacramento County.

Number...	Name.	Age	Country of nativity.	Occupation.	Local residence.	NATURALIZED.			Date of registry	Sworn.....	Cancella- tion.
						Date.	Place.	By what Court.			
5,481	Pacheco, Romualdo....	36.	California.....	State Treasurer	Sacramento Township...	.....	.....	.....	August 2, 1867..	.....	Removed.

TATE OF CALIFORNIA,
County of Sacramento. } ss.

This is to certify that the above and foregoing is a full and correct transcript of the entries of the registration of the aforesaid R. Pacheco on the Great Register of said Sacramento County, as the same therein appears, and also to certify that this certificate is given for the purpose of cancelling the registration thereof, and authorizing the registration of said R. Pacheco in any other county where he may next become a resident.

Attest my signature and the seal of said County Court, this thirteenth day of October, A. D. one thousand eight hundred and sixty-nine.

[SEAL.] By B. F. PEABODY, Deputy Clerk.

W. B. C. BROWN, Clerk.

EXHIBIT D.

Certificate of Registration of Romualdo Pacheco, in San Luis Obispo County.

Number	1,013
Name	Romualdo Pacheco.
Age	38
Country of nativity.....	California.
Occupation.....	Ranchero.
Local residence.....	San Luis Obispo
Date of registration.....	July 3d, 1869.
Sworn.....	Sworn.

STATE OF CALIFORNIA, }
County of San Luis Obispo. } ss.

I, Charles W. Dana, County Clerk and ex officio Clerk of the County Court, do hereby certify that the foregoing is a full abstract and transcript, showing the registration of Romualdo Pacheco as a voter in the county and State aforesaid, as the same appears upon the Great Register of said county.

Witness my hand and the seal of the County Court of said county, this fourteenth day of October, A. D. eighteen hundred and sixty-nine.

[SEAL.]

CHARLES W DANA,
County Clerk.

By R. POLLARD, Deputy.

P E T I T I O N

FOR

WOMAN'S SUFFRAGE.

IN SENATE, MARCH 2, 1870.

D. W. GELWICKS, STATE PRINTER

PETITION FOR WOMAN'S SUFFRAGE.

*To the Honorable the Senators and Representatives of the State of California,
in Legislature assembled:*

The undersigned, residents of this State of California, of full lawful age, respectfully and earnestly pray your honorable body to take such immediate action for an amendment of Section First, Article Second, of the Constitution of this State, as shall secure to the women of this commonwealth the right of suffrage.

And to this end your petitioners will ever pray.

SAN FRANCISCO.

M. A. McLaughlin,
C. A. Genney,
M. Hurst,
Bertha Deneher,
A. Lamarche,
H. C. Victor,
Kate Gogen,
Fanny E. Gray,
H. J. Paine,
Wm. Wright,
R. B. Roberts,
Mrs. J. S. Mellen,
Miss M. M. Bryant,
Mrs. C. J. Deering,
Mrs. Z. Crowell,
Miss H. C. Rogers,
Margaret Brordan,
Amy T. Campbell,
Harriet A. Rowe,
Emily H. Rowe,
Mrs. Mary G. Bailly,
Mrs. M. Fitzgerald,
Mrs. Cheerley,
Mrs. Mary Stein,
Miss C. Brun,

Mrs. J. N. Moulton,
Mrs. J. W. Stewart,
Miss Kane,
Mrs. M. D. La Febre,
Mrs. U. Huntington,
Mrs. S. A. Washburn,
M. S. Bonnifield,
Ed. Humb,
J. D. Minor,
Geo. Seitz,
John Hoezzinger,
Mme. Clara Antonia,
Robert Powell,
Wm. Guildenstein,
Angie Loomis,
Edward Smith,
Mrs. C. J. Ross,
Mrs. Julia P. Smith,
Mrs. Katharina A. Metcalf,
Mrs. L. Boutelle,
Mrs. Fanny W. Baird,
Susie K. McKinnon,
Sarah K. Campbell,
Lizzie A. Roche,
Wm. Boutelle,

P. Bunker,
 M. A. Fletcher,
 Mrs. L. P. Bunker,
 Mrs. L. S. Adams,
 Mrs. H. E. Vigourins,
 Ruth G. Campbell,
 Sadie Davis,
 Mrs. Clara Treat,
 Abbie S. Barnard,
 Mary E. Scott,
 Miss Henrietta Thomas,
 C. C. Robst,
 George Moffatt,
 J. H. Mount,
 A. Requa,
 D. A. Carpenter,
 Thos. Keane,
 J. A. Eaton,
 James Kellogg,
 Mary Z. Kellogg,
 A. J. Haight,
 Julia A. Haight,
 M. S. Elliot,
 A. H. Crowell,
 E. A. Shaw,
 T. B. Julian,
 Mrs. F. L. Julian,
 David Pinkney,
 Jas. Vinsonhaler,
 J. F. Franck,
 Robert Day,
 Matilda E. Coates,
 Mark Pixley,
 Louisa J. Bowen,
 J. J. Whitney,
 Fanny V. Acker,
 Clara Antonia,
 W. B. Rand,
 F. D. Cottle,
 Mrs. J. T. Sims,
 Geo. L. Kathburn,
 John Denton,
 Henry Bush,
 W. G. Hutchinson,
 W. W. Hutchinson,
 M. A. Church,
 S. Emeline Coates,
 Miss M. Smith,
 C. W. Phelps,
 A. S. Baldwin,
 D. W. Whitman,
 Elizabeth Romanes,
 Herman Snow,
 Mary F. Snow,
 Sophia Walsh,

Julius Mott,
 M. Hannath,
 E. Lewellan,
 E. F. Bunnell,
 M. E. Mott,
 G. Flannigan,
 F. Powers,
 Mary Lord,
 F. A. Gray,
 G. S. Tolman,
 Mary S. Merrill,
 Sarah E. Smith,
 Gertrude Allen,
 Lizzie Harloie,
 Frank Wicks,
 A. K. Stevens,
 Emily Pitts Stevens,
 R. H. Brooks,
 Mary J. Fuller,
 Mrs. C. J. Wright,
 O. L. Olmstead,
 Lamont Fisk,
 M. S. Truesdale,
 George Len,
 James Mullbowry,
 Joseph Raymond,
 John Brown,
 J. L. Cook,
 C. M. Thurston,
 W. P. Clark,
 Joseph M. Adams,
 E. M. Anderson,
 V. C. Victor,
 Charles Wynan,
 Wm. Jessup,
 M. E. Jessup,
 Jno. G. Jessup,
 V. Gavis,
 A. Holmes,
 Theodore Green,
 J. F. Crosset,
 S. R. Decerdorff,
 I. Herzog,
 John I. Moxley,
 J. E. Kincaid,
 C. S. Cousins,
 B. Carson,
 Horace Mitchell,
 Wm. P. Smith,
 Jos. Marthon,
 Robt. Kasten,
 Mrs. S. A. Mason,
 L. Spencer,
 H. A. Kendall,
 Elias A. S. Müller,

Mrs. Jas. Watson,
 E. B. Graham,
 Mrs. M. J. Elder,
 Mrs. A. Magnes,
 Wm. Gassert,
 M. M. Lothrop,
 J. J. Lothrop,
 Miss Annie Bolen,
 Charles H. Gutlen,
 Jas. Battersby,
 Wm. P. Clark,
 John Alsterton,
 Charles Wynans,
 John Alshow,
 Mrs. Alice H. Tripp,
 Mrs. Kate M. Wassen,
 Mrs. Croesley,
 Mrs. Phœbe Palmer,
 Mrs. H. A. Kendall,
 Susanna Scholl,
 Henrietta Huff,
 Pauline E. Henn,
 R. C. Richardson,
 S. Walter,
 Mrs. Kelly,
 Christine Hoffmann,
 Mrs. C. Cook,
 A. Kingwell,
 J. A. Clark,
 Mrs. H. Barns,
 W. S. Barns,
 Joseph Doneghue,
 Mrs. R. D. Hobart,
 Andrew Hornsman,
 J. R. Nealy,
 I. Bernstein,
 M. A. Fletcher,
 Mrs. M. Buckhout,
 Miss Augusta W. Ayer,
 Mrs. H. C. Kibbe,
 Mrs. E. S. Sleeper,
 Mrs. Homdeh Neuman,
 Mrs. Edwards,
 M. O. Grove,
 Mrs. M. J. Upp,
 Dr. J. P. Tibbits,
 Mrs. R. J. Tibbits,
 Mrs. L. G. Tibbits,
 Mrs. A. Green,
 Mrs. T. Green,
 David Green,
 S. S. Thomson,
 Thos. Hanna,
 Chas. Jones,
 H. B. Wagoner,

Frank L. Tilton,
 S. B. Patrick,
 James Jones,
 H. Washburn,
 Robert Ferguson,
 James Phillips,
 John Steadman,
 J. L. Newman,
 Robert Dilworth,
 Francis Ruvle,
 James Alexander,
 M. B. Bullard,
 W. A. Grove,
 S. Howard,
 C. J. Robinson,
 W. T. Albertson,
 W. LeRoy,
 Charles A. Kelly,
 Hy Edwards,
 Wm. M. Neilson,
 W. A. Aldrich,
 George Boorek,
 Prentice Mull,
 Amelia Poole,
 Charles Poole,
 Jno. A. Collins,
 John A. Ryan,
 A. Smith,
 A. J. Hale,
 L. B. Hopkins,
 Winslow Battles,
 George C. Irvin,
 K. B. Clayton,
 James Edwards,
 J. E. Clayton,
 David Green,
 J. D. Wheeler,
 Albert Penkert,
 Joseph Corin,
 Manuel Gerovitch,
 John G. Bennett,
 Israel Harvey,
 W. Farley,
 Henry Backus,
 Joseph Griswold,
 Mrs. M. B. Horton,
 Mrs. Mary J. Collins,
 Mrs. E. C. Thomson,
 Mrs. A. M. Cline,
 Mrs. M. E. Cummer,
 Mrs. M. E. Hurley,
 Mrs. Annie Anderson,
 Mrs. Lizzie McGrath,
 Mrs. Mary L. Waters,
 Miss Delia M. Cummings,

Miss Mary A. Cummings,
 Mrs. V. R. Chapman,
 Mrs. Lande,
 A. V. Wakeman,
 T. A. Wakeman,
 Mrs. A. L. Simpson,
 Mrs. W. S. Edwards,
 Madame G. Hoffmann,
 Mrs. M. D. Warren,
 Mrs. Maria K. Fay,
 Maria Gethin,
 Mrs. E. A. Norton,
 Mrs. Seth Vaughn,
 Mrs. E. Copeland;
 Mrs. S. A. Morgan,
 Mrs. Charlotte Schmitz,
 Mrs. Margaret Hazard,
 Mrs. Elizabeth Strother,
 Fannie Harwood,
 Mrs. L. S. Mariner,
 Mrs. E. Bradley,
 Bella Fitz Gerald,
 Mrs. Rebecca Fitz Gerald,
 Mrs. Amelia N. Edwards,
 Mrs. Fall. Hart,
 Mrs. S. R. Hazen,
 Mrs. Jos. Eggleston,
 Mrs. M. E. Rayan,
 Mrs. Eliza Hewbert,
 Mrs. Angie Austin,
 Mrs. Fannie Hare,
 Miss Julia Atwood,
 Miss Angenette Pearce,
 Miss Caroline Macpherson,
 Mrs. Cranney,
 Mrs. Euphemia Hooke,
 Mrs. Emily Tracy,
 Miss H. H. Pratt,
 Mrs. A. C. Parker,
 Mrs. A. N. Knowlton,
 T. W. Colburn,
 Mrs. W. Holmes,
 Anna Cole,
 M. A. G. Page,
 Mrs. P. A. Brewster,
 Robt. G. Perkins,
 Sarah A. Vancourt,
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 S. Steiner,
 I. W. Tyson,
 J. Wilde,
 R. Prichett,
 T. H. Cox,
 George D. Carlton,
 W. F. Pettit,
 E. Aytieworth,
 A. Wentwork.

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 A. H. Bangle,
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 George Gartlan,
 S. A. Heilner,
 William B. Ingersoll,
 Lee Baxter,
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 George Smith,
 Mrs. Noble Hamilton,
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 S. Hugg,
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 L. Stone,
 R. McClure,
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 S. G. Knox,
 Asa Collins,
 Moses Wicks,
 F. Babcalk,
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 J. A. Watson,
 W. Madegan,
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 Laura DeForce Gordon,
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 Annie Cadwell,
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 Laura C. Brown,
 Betsey Baxter,
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 Lewis Wheeler,
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 E. Bradt,
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 Mrs. S. S. Browning,
 M. B. McKee,
 A. F. McKee,

Charles H. Gordon.

MINORITY REPORT

OF

COMMITTEE ON PUBLIC LANDS

RELATIVE TO

ASSEMBLY BILL NO. 370.

D. W. GELWICKS.....STATE PRINTER.

R E P O R T.

MR. SPEAKER: The undersigned, a minority of your Committee on Public Lands, recommend the indefinite postponement of Assembly Bill No. 370, for the following reasons, viz :

There is no good reason why the present Board of Tide Land Commissioners should be disturbed in the discharge of a public duty, when, in all their public acts, they have earned a reputation for honesty, fairness and fidelity that challenges alike the shafts of envy, malice or revenge.

To supplant them by a new and unexperienced Board at this time, when their knowledge is of so much importance to the State, seems to us to be an experiment that might jeopardize the success of a work which, thus far, is regarded with uniform satisfaction by the people and tax payers at large, and is justly deemed by all as the crowning act of the first Democratic Legislature since the war.

No censure can attach to any member of the Commission, upon the other hand ; they have all discharged their duties honestly and fearlessly ; and, under the personal supervision of the Governor, who, under the law, is Chairman of the State Board, there has been realized from sales some eight hundred thousand dollars, and not half of the property is sold.

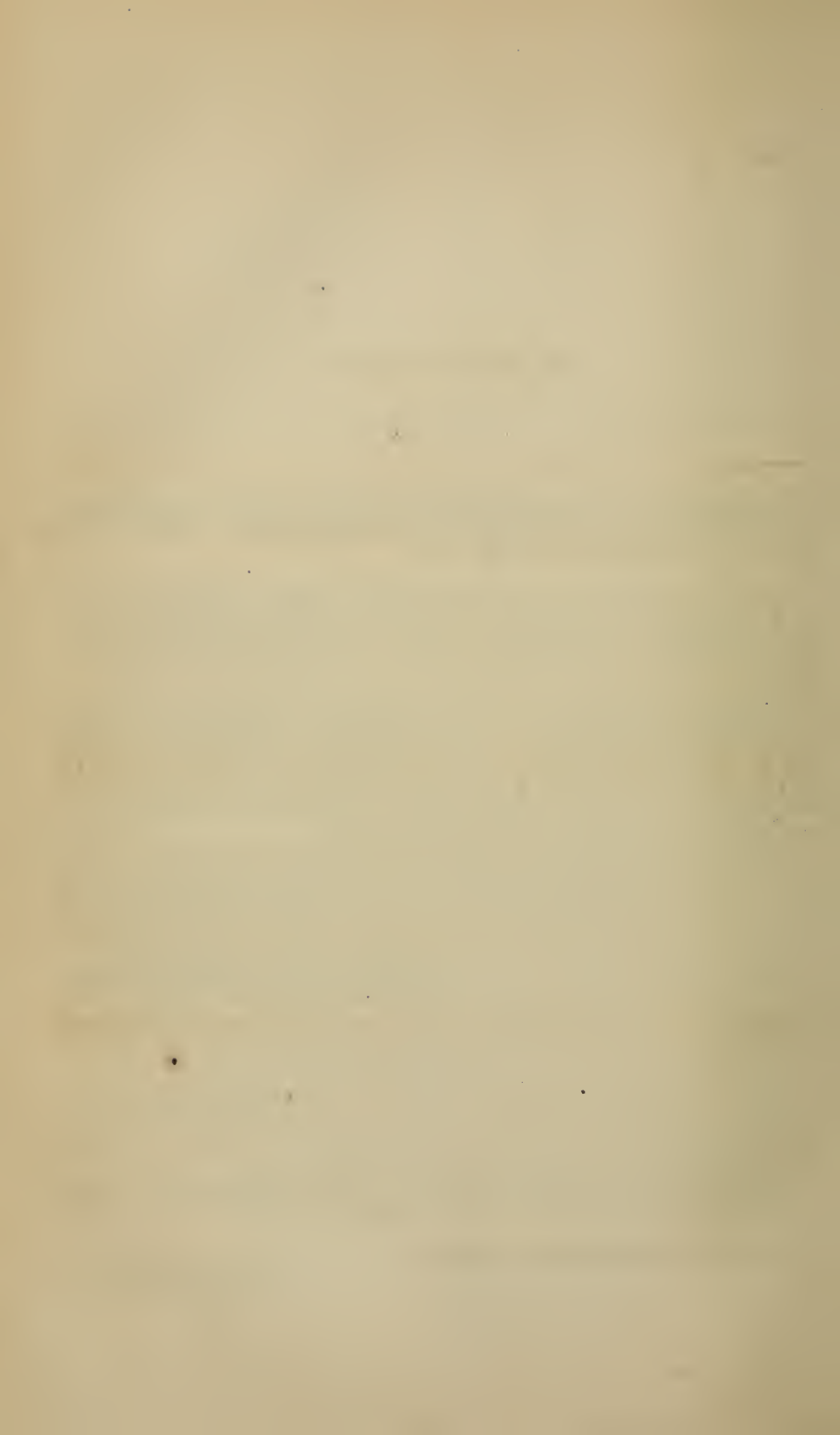
These are facts known to every one ; and should the present Board be dissolved by the Legislature, and any change be made by which the management of this vast domain should descend to an inexperienced Commission, under a bill without guards, such as this one, the people will hold each and every one of us responsible for this Act.

Again, we deem the present bill a stab at the Executive of the State ; it is an unwise attempt to take from him the appointing power ; to do by the Legislature of this State what Democrats have so strongly denounced in the Congress of the United States.

It is an insult to the Democratic Governor of the State, which should not for one moment be tolerated by the majority of this House.

All of which is respectfully submitted.

MARION BIGGS.



FACTS AND FIGURES

CONCERNING THE PROPOSED

NEW COUNTY OF SAN BENITO,

BY

E. C. TULLY, COMMISSIONER.

D. W. GELWICKS.....STATE PRINTER.

FACTS AND FIGURES

CONCERNING THE

PROPOSED NEW COUNTY OF SAN BENITO.

To the Honorable the Senate of the State of California :

SENATORS : The undersigned begs leave to submit for your careful consideration the following facts and figures, concerning the proposed new county of San Benito :

First—The County of Monterey is divided into two distinct communities by the Gabilan range of mountains, which traverse the county from northwest to southeast; those living west thereof having their social and commercial interest westward to the Bay of Monterey; those living east, having their's to the north, through Santa Clara Valley to San Francisco, there being no intercourse, either social or commercial, between the two sections.

Second—The size and peculiar configuration of the county renders it unnecessarily expensive to run the county government—and the burdens of taxation bear very unequally upon the two sections, whilst those upon whom the burden bears heaviest are least benefited thereby.

Third—The county contains nearly six thousand square miles of territory, of which about two thousand one hundred square miles lie east of the mountains, and will, we hope, constitute the new county

Fourth—The new county contains about three thousand five hundred inhabitants, one thousand of whom are voters—mostly heads of families.

Fifth—There are forty thousand acres of first class arable lands in the new county, mostly under cultivation; and forty-five thousand acres of second class, or grain lands, mostly under cultivation; and fifteen thousand or twenty thousand acres of light uplands, rolling hills, etc., besides a vast amount of unsurpassed grazing lands, there being very little waste lands in the county.

Sixth—The assessed value of the taxable property of the county for eighteen hundred and sixty-nine is about one million five hundred thou-

sand dollars, a tax upon which, at two dollars and seventy-five cents per one hundred dollars (which is fifty cents less than we now pay) will more than run the county, after building county buildings, etc.

Seventh—Our resources are varied, and consist, as they ever must, of agriculture, grazing, dairying, etc., thus rendering us less liable to be ruined by the failure of crops than in a purely agricultural community, etc.

Eighth—We are neglected and left unprotected in our persons and property by our trans-mountain brethren, and derive little or no benefit from the taxes we pay to keep up a political relation that is destructive of our best interests, and only seeks to bind us unto themselves in order to make us a party to their own aggrandizement at the expense of our own, and in violation of every principle of right and justice

Ninth—The people of the new county are almost a unit on the subject of division; the exception being a few landed proprietors, four-fifths of whom are non resident tax payers, who are in no way affected by the many inconveniences that our political relations at present entail upon those who live in the county.

Tenth—The people of San Juan, who were originally foremost in the new county movement, and who now turn their backs upon their former acts and remonstrate against division, are at heart still in favor of division; but actuated by selfish motives, and a fear that San Juan will not be the county seat of the new county, are now trying to defeat the bill, in order that at some future time they may be more lucky.

Eleventh—That this same people who now remonstrate against division, (one hundred and fifty in number,) and who, upon receiving the glad tidings that this same bill, now so obnoxious, had passed the Assembly without opposition (one "no"), assembled en masse, fired cannon, and had a grand jubilee in honor of the occasion.

Twelfth—That the local representative supported the bill in the House; that Senator McDougall was before the House committee and advocated its passage, waiving his personal objections to do an "act of justice to the people of the new county, who, by all rules, right and justice ought to have a new county." but who, now that San Juan (150) remonstates, and half a dozen rich landed proprietors and non-resident "tax payers" choose to stultify themselves by "going back" upon their past actions, follows out his own peculiar views and "goes back" upon his former actions; and by using his influence in the Senate, endeavors to defeat a measure that is demanded by the voice of an overwhelming majority of the people of the new county.

Thirteenth—That of the one hundred and fifty signers to the remonstrance, many are native Californians, who cannot read nor speak the English language, and signed what they believed to be a "petition" for the location of the county seat at San Juan, and when made aware of the truth, were not permitted to erase their names. Many reside west of the mountains, and have no interest in the new county. And that after several weeks of vigorous canvass, not two hundred persons in the whole County of Monterey could be cajoled or deceived into the signing of a remonstrance, out of a population of nearly or quite ten thousand. Not five hundred, all told, are opposed to division.

Fourteenth—That the one hundred and fifty remonstrants of San Juan, by their actions in this matter, have not only stultified themselves, but have forfeited all right to a respectful consideration by your honorable body, in thus trifling, not only with their Senators, but with the liberties and most sacred rights of three thousand five hundred American citizens,

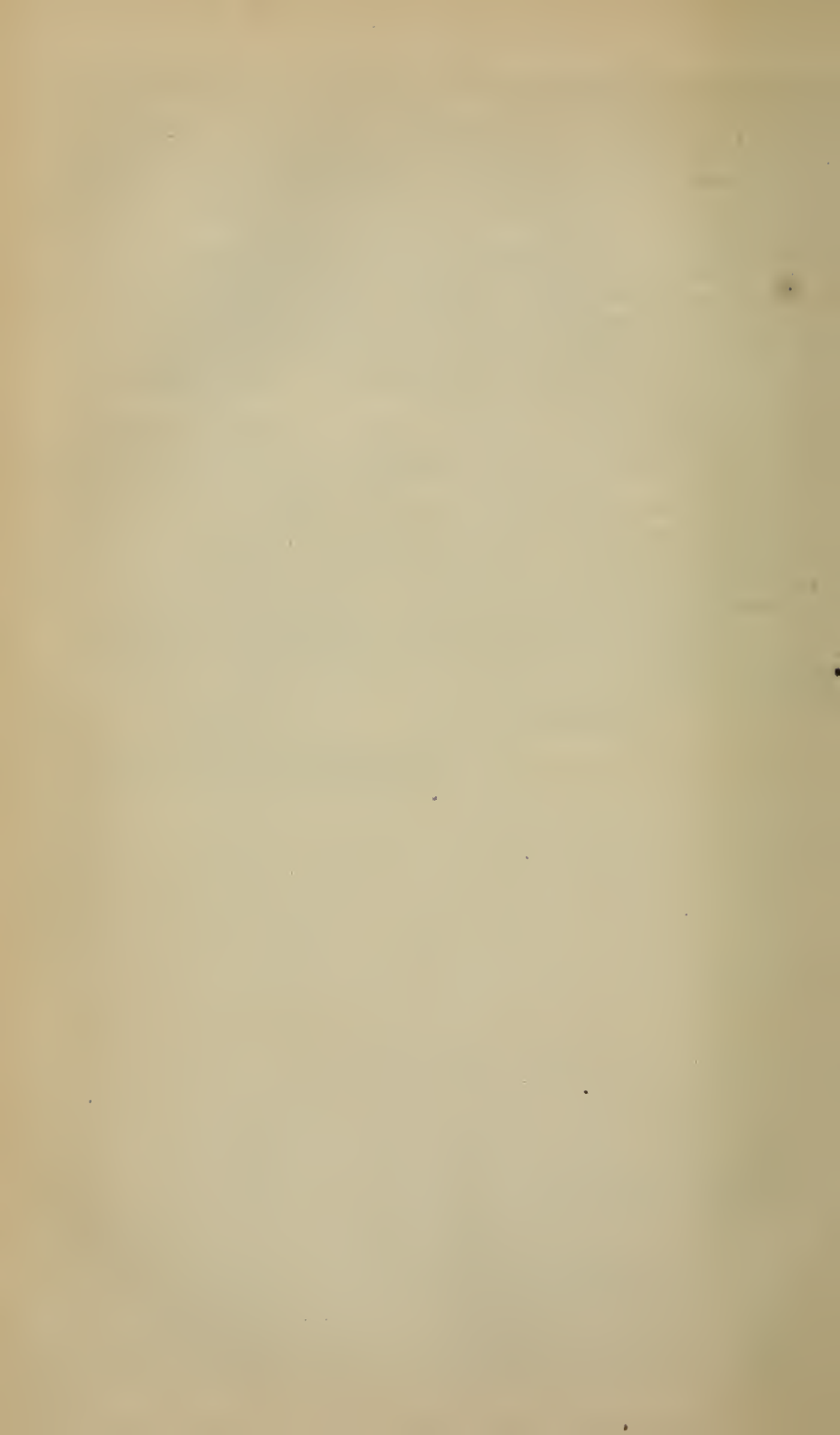
and thus trying to make *you* the instruments for accomplishing their own selfish aims and ambitions.

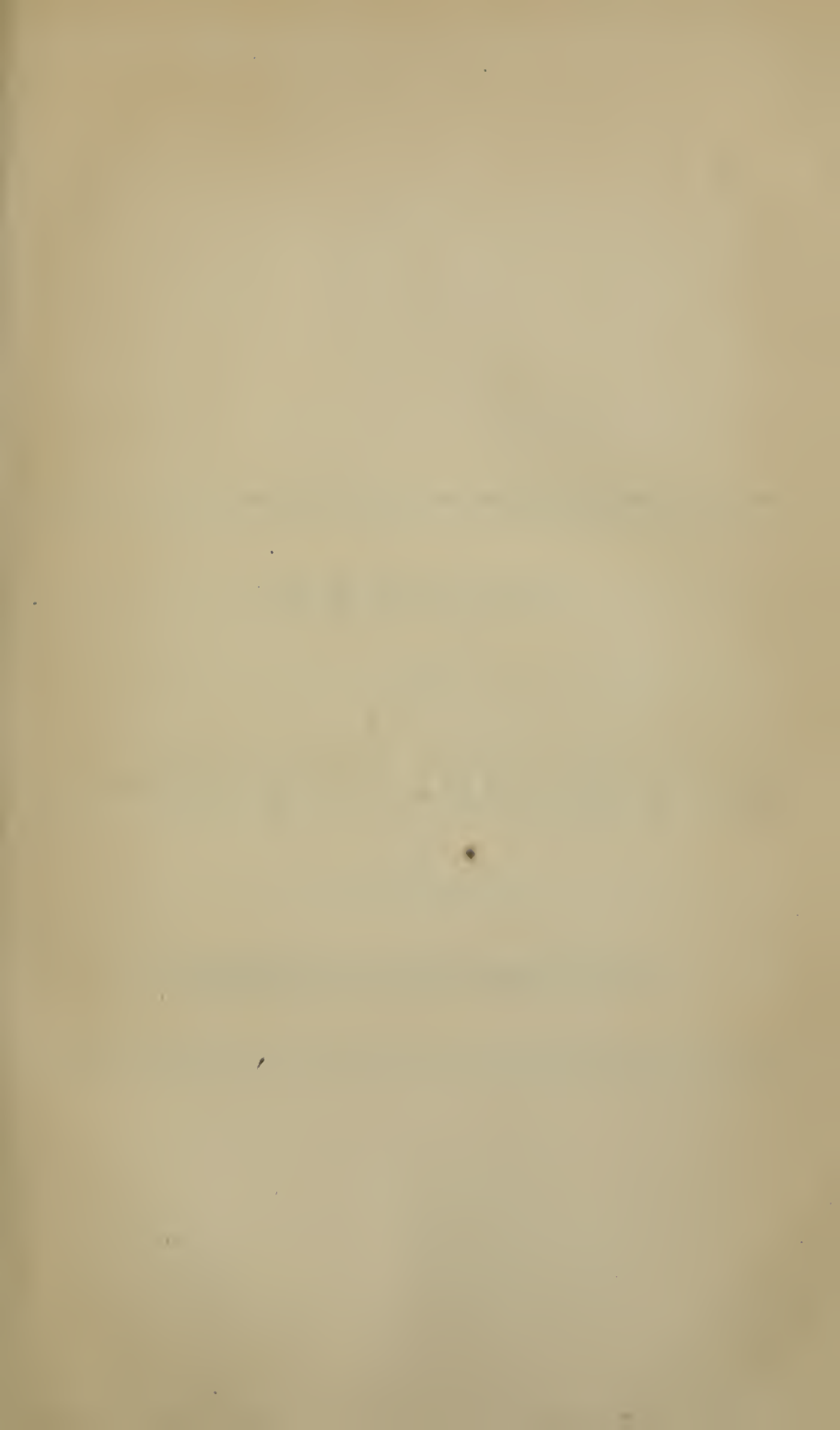
Fifteenth—In conclusion, the undersigned would state, as a matter of fact, that Senator McDougall was elected two years ago, at a time when the *whole County* of Monterey contained a population of little more than that *now* contained in the proposed new county; that only one thousand and thirty-two votes were polled in said County of Monterey at that election; that there are now registered in the new county *over one thousand voters*; that for the past eighteen months the Senator has not resided within the county three weeks. The most of the citizens of the new county are recent accessions to our population, and, as a matter of course, entire *strangers* to the Senator; that the undersigned does know them personally, and fully understands their views, sentiments and wants, and is authorized to speak for them in this matter, so vitally concerning them and their interests.

Sixteenth—Our county is out of debt. We are able and willing to assume the responsibilities of our new relations, and *know we are right*. Will you, Senators, in the discharge of the high duty imposed upon you, see to it that a few disappointed and selfish schemers and *non-resident "nabobs"* make you not the instrument of their selfish schemes to crush out the liberties and destroy the best interests and brightest hopes, of three thousand five hundred American citizens, who *now look to you as their last hope* in this their hour of danger? Will you allow "courtesy" to come between you and the discharge of your duties? We think not, we KNOW YOU WILL NOT. We ask *justice*, nothing more. That we will receive it at your hands we have not the slightest doubt. *Fiat justitia, ruat cælum*.

Respectfully, etc.,

E. C. TULLY,
Commissioner for New County.







R E P O R T

OF THE

ASSEMBLY COMMITTEE

TO WHOM WAS REFERRED

SUBSTITUTE FOR SENATE BILL NO. 185.

D. W. GELWICKS, STATE PRINTER.

MAJORITY REPORT

OF THE

COMMITTEE ON CORPORATIONS

RELATIVE TO

SENATE BILL NO. 62.

D. W. GELWICKS.....STATE PRINTER.

REPORT.

To the Honorable the President of the Senate of the State of California :

A majority of your committee, to whom was referred Senate Bill No. 62—An Act to amend an Act entitled an Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—respectfully beg leave to report, that they have made diligent inquiry and obtained all the information accessible to them on the various questions involved in the bill before them.

In reference to the expediency of making the radical changes contemplated by the bill referred to us, regarding the maximum now allowed by law as the cost of transporting passengers and freight, your committee have gathered the following information :

They find that nearly all our roads are constructed through a sparsely populated country, that the money to build these roads has been obtained from capitalists of other States and countries in great part, upon the theory that although the absence of population might and probably would prevent the profitable yield of their capital for some years, yet the rates allowed by law might pay the interest on the money invested. It seems to be the result of our experience, however, that even under the rates allowed, no road has yet been enabled to pay its operating expenses, the interest on the money invested in its construction and declare a dividend to its stockholders. Your committee finds, on investigation, that the average tariff of freight, including both local and through freight, at the present time, in the State, is less than five cents per ton per mile, a sum much less than that to which it is proposed to be reduced by the bills under consideration.

It is proved that on the sixty-six miles of mountain road of the Central Pacific Railroad, including the summit of the Sierra Nevadas, the maximum allowed by law is charged on general merchandise only ; on second, third and fourth class freights a much less rate is charged, and on such articles as lumber, wood, coal, ores and other articles, the production or manufacture of which tend to develop industry and increase the population near the line of the road, freights are near the actual cost of transportation. The proportion of general merchandise that

pays the maximum on the sixty-six miles aforesaid, is about one-fiftieth of the west bound freight and not quite one-fourth of the east bound freight. On this sixty-six miles of road over the Sierras there is, comparatively speaking, no local business, yet it was the most costly portion of the Central Pacific Railroad to build, the most expensive to operate, and involves vast annual outlays to keep it in repair. Your committee learn that it has cost one and a half millions of dollars to build the snow sheds on this portion of the road, and that the annual cost to keep them in repair is more than one hundred thousand dollars. Yet, from the testimony before them, the local freight business of this portion of the road, bound eastward, during the months of July, August, September and October, eighteen hundred and sixty-nine, all told, was but five thousand eight hundred and twelve tons, for which the company received thirty thousand five hundred and sixty-four dollars and fifty cents, and on westward bound freights, four hundred and eighty-four tons, for which they received only about one thousand eight hundred and thirty-nine dollars.

Your committee find that the roads in the valleys, in proportion to the population and the amount of freight transported, are carrying passengers and freight as cheaply as in any of the Atlantic States.

We also find that the Central Pacific Railroad, when the cost of constructing and operating are considered, are doing business as cheaply as any road in the United States. As has been stated, the average charge for freight is less than five cents per ton per mile on eight hundred and eighty miles of road. Certain first-class articles and first-class passengers, for sixty-six miles, pay the maximum rates.

The testimony before us proves that when a new industry can be created, or new enterprise developed, the Central Pacific Railroad Company has fixed a tariff lower than is contemplated by the bill before us.

While, as has been stated, according to the evidence before us, the roads in the valleys, when the cost of construction and operating are considered, carry passengers and freight as cheaply as the Atlantic roads, yet, because to develop industries and increase population, the Central Pacific Railroad has reduced the tariff below the maximum allowed by law, the total receipts for freight from the business of the road between the City of Sacramento and the State line would not probably pay more than the cost of operating the road.

We find that the inclination and practice of the railroad companies tend to reduction of rates whenever they can, by so doing, materially develop business. If your committee could foretell what industries would be created by a reduction of tariff, and what industries and articles of merchandise could afford to pay a higher tariff, so that in the aggregate the various railroads could earn sufficient money to pay their stockholders a fair interest on their investment, it would be expedient and proper to suggest legislation for the development of these new industries, and at the same time protect the stockholders. To make a radical change and reduction now would be to compel the railroad companies to take less tariff on articles of merchandise that can afford to pay higher rates, and to compensate themselves for this, to compel them to raise the tariff on all those articles that are now transported at a slight advance on the cost of transportation, from the motive of fostering new and growing enterprises.

We find that the higher rates are paid on articles not consumed in this State; the lower tariffs are on articles manufactured and consumed here. A uniform standard would therefore tend to increase the cost of

articles of consumption to our own people for the benefit of those elsewhere.

Railroad enterprises are so new in this State, and information from practical experience so limited, that, so far, the managers of our roads have been and are apparently unable to determine fully how business can best be promoted by reduction, within the limits of the law, on certain classes of merchandise, and what classes can afford to pay one-third or one-half of the maximum now allowed under the law. Then, again, a maximum rate that would be just to roads constructed and operated in our mountains would be exorbitant if charged in the valleys. If the maximum were fixed with a view of applying to valley roads, it would be extreme injustice to roads constructed in the mountains. From the information derived by your committee, we learn that on the steep grades and sharp curves of our mountains the cost of operating a road is five times greater than that in the valleys, while the same motive power will transport less than one-fourth the freight. Then again, an arbitrary rate, as applicable to all classes of merchandise, would do injustice to both the railroads and the shippers of merchandise. It is very doubtful if the Legislature, without practical experience, could arbitrarily legislate on the subject without doing injury to many developing industries.

Your committee are satisfied that the best interests of the people are to be promoted by leaving the law as it now stands, thereby encouraging investments in this class of enterprises, and giving assurance of the continued good faith on the part of the State to those who add to its industry, wealth and population by building these roads, and believe that the Legislature of this State can best be guided by the wisdom of the Legislature of other States that have had a longer and more diversified experience in railroad enterprises.

In conclusion, whilst your committee are absolutely convinced of the danger and present inexpediency of interposing, at this time, legislative authority between incoming capital and the railroad development of the country, they regard it of great importance to procure, from time to time, systematic information based upon the experience and business of railroads in this State, to be applied and used hereafter.

This plan is imitative of a similar and perfectly successful one in New York, and would result in the gathering and permanent record of a mass of statistics to guide future Legislatures to just enactments for the government and control of this great and growing interest of our State.

For the foregoing reasons, we respectfully recommend that the aforesaid bill do not pass.

Signed by

JOHN H. SAUNDERS,
H. KINCAID,
J. N. CHAPPELL,
JAMES H. LAWRENCE.

TESTIMONY.

TESTIMONY OF MR. TOWNE.

Gov.—How many years have you been connected with railroads?

A.—Between sixteen and seventeen.

Q.—What is your present position?

A.—General Superintendent, Central Pacific Railroad.

Q.—Your experience has been such as to make you familiar with the workings of railroads?

A.—It has.

Q.—Will you please tell this committee what has been the policy of the Central Pacific (because that is the road I believe these bills are aimed at, more especially than at others. I will ask you especially in regard to that)—what has been the policy of the Central Pacific Railroad in reference to charges on freight, where, by reducing rates, they could develop additional business or industry?

A.—It has been the universal practice and custom of this company to reduce the rates on freight and on passengers in nearly every instance whereby any more business could be reached in consequence, or where we learn there is a certain kind of freight that will not stand the ordinary transportation charges, lesser rates have been made.

Q.—Coming right down to the policy of the company, has it or has it not been the policy of the company wherever, by reducing the rates, they could develop industry? Would they not, if necessary, so reduce the rates in order to reach the business, so the receipts should only cover actual operating expenses?

A.—That is done daily.

Q.—Can you give us an instance of that?

A.—Yes, sir.

Q.—In connection with the northern trade?

A.—Yes, sir. I will give you an instance of a rate given to-day on ore: Parties represented to us that the low grade of ore would not stand transportation to San Francisco. Our General Freight Agent, after consulting with me, gave a rate on that ore that would move it to a reducing furnace.

Q.—Mr. Towne, what are we bringing ores for, from Ogden to San Francisco?

A.—Twenty dollars per ton.

Gov.—These ores, let me remark to the committee, are brought from a mine seventeen miles from Cottonwood (seventeen miles south of Salt Lake City), and brought to San Francisco for reduction.

Q.—Mr. Towne, about how much of our road do we charge maximum rates on?

A.—But sixty-six miles of the nine hundred and forty-eight.

Q.—Of our entire road, sixty-six miles. Where are these sixty-six miles located?

A.—Between Colfax and Truckee.

Q.—That is on the more mountainous portion of the road—the heaviest grades?

A.—Yes, sir.

Q.—About what will the freight average, taking both ways—all the freights transported on that road—what will they average from Sacramento to the State line, per ton? Take the average both ways; all classes of freight.

A.—They vary from four to four and a half cents per ton per mile. I will give you an explanation of that, gentlemen. Perhaps it may seem strange, inasmuch as you have been told we charge fifteen cents per ton per mile, when I say the average is not more than four or four and a half. You will understand, the portion that we get fifteen cents on, is very small, perhaps not one-fiftieth of the entire tonnage, the balance being lumber and posts, shingles, staves and heading, wood, granite and that kind of heavy freight, on which we charge very low freight.

A gentleman—That is for other people?

A.—Yes, sir. Therefore it brings the average down low, much lower than would be generally supposed; yet it is a fact.

Gov.—The maximum rate is only charged on merchandise going over the mountains, for a distance of sixty-six miles. Mr. Towne, what is the elevation that we pass at the summit?

A.—Seven thousand and forty-two feet.

Q.—What is the comparative cost of operating a road of a grade such as we have over the mountains, as compared with roads through the valleys?

A.—More than four times as great; I should say nearly five times, from what statistics we have to govern us.

Q.—Mr. Towne, in practice, what do we do, so far as taking freight over the mountains is concerned? What is the power and where is it used?

A.—It is used in about that proportion between Truckee and Colfax, as compared with that portion of the road between here and Colfax.

Q.—I am saying now, how do we usually make up our trains from here to Rocklin, and from Rocklin over the mountains?

A.—To illustrate that, an engine taken from here—an ordinary freight engine—will move forty cars from here to Rocklin, that being at the end of the division, where we put on four engines of larger capacity to move the same number of cars from there to Truckee. It would require more than four engines, because nine is the greatest number we are able to get up the mountains with one engine.

Q.—Mr. Towne, is it not a matter of fact, if we take thirty-seven cars with one engine from here, when we reach Rocklin we bring out four of those large ten-wheelers, they take thirty-six, and the thirty-seventh car has to be left over there?

A.—That is so.

Q.—The train is divided; we call them divisions; they are substantially four trains going from there, one engine taking eight or nine cars and go up over the mountains. Now, the consumption of fuel and wear and tear of each one of these as compared with the whole train moving, I mean per mile, compared with the whole train moving over this level country?

A.—It is four or five times greater, the wear and tear of the track as well as machinery, consumption of fuel and amount of men required on the mountain portion.

Gov.—I meant for each one of these subdivisions, as compared with the whole train moving from here to Rocklin?

A.—I do not think I quite understand.

Gov.—You reduce the train to four parts. I want to know the comparative expense of each one of these parts as against the whole train moving from here—that is, per mile—as compared with the whole train moving a mile on this level road?

A.—One of these trains of nine cars, to say nothing of the wear and tear of the track in addition, is more expensive than it is to haul the forty cars from here to Rocklin.

Q.—Why is that so, Mr. Towne?

A.—It is because of the grades and of the curvature. An engine starting a train upon the plains—a nearly level road—there is but very little wear to the engine, comparatively speaking, and also but little wear to the track, but on a grade the engines labor very hard, making many revolutions, cutting out the iron very fast, as also the tire and other portions of the machinery.

Q.—Now, Mr. Towne, you are familiar with most of the prominent roads in the Eastern States; to your knowledge is there any railroad in the United States so difficult to operate as this road from Sacramento to the State line?

A.—No, sir; there is no road in the United States, neither do I think there is in the world; certainly none to my knowledge.

Q.—Is there any road in Europe or the United States that makes more than half the elevation?

(No answer.)

Gov.—Now, I propose to show this is a more costly road, by far, the same distance, than any road in the United States—more costly to keep up in consequence of the heavy cuts, fills and snow sheds and snows. How much of that road is covered with snow sheds?

A.—About thirty-three miles.

Q.—How much of a force is there kept at the summit—how many engines are kept ready fired up to move as necessity may require, with snow plows?

A.—All through the snow season there are from three to five all the time fired up and manned ready for action.

Q.—Now, the expense of keeping up the road, independent of that—what are the difficulties that have to be overcome?

A.—The maintenance of the track, which is much greater than on any other portion of the road, requiring nearly as many again men—quite as many again, together with watchmen at the tunnels, bridges and culverts, and at points liable to slide—banks—all of which require a large additional force, more than we do on any other portion of the line.

Q.—Now, Mr. Towne, you have told this committee that perhaps not one-fiftieth part of our business was charged the maximum rates on for that sixty-six miles. With your knowledge of the business, would a

reduction such as is proposed by these bills here, I think to five cents a mile, materially increase that class of business on which maximum rates are charged?

A.—No, sir; it would not. I do not believe we would get one more ton of freight than we do now.

Q.—If our rates on that class of goods were reduced, could we afford to discriminate in favor of those other various products and industries that cannot stand higher rates? Could we afford to discriminate in their favor as we do now?

A.—No sir; not if the road was dependent upon its earnings for money to operate it.

Q.—Now, I want to know, Mr. Towne, what are the accommodations on our road for passengers, and for freight. I mean to say, what is the class of accommodations, whether it is good, or whether it is first class?

A.—It is first class. In fact it is second to none in the United States, I know of, in its appointments. Our freight engines, our freight cars and our coaches are as good as can be found in the United States. Our engines are fully equal and our freight cars are as good as there are running.

Q.—Is or is not our road, in every respect, a first class road?

A.—It is, sir.

Q.—Is there any road in the United States, that you know of, that cost as much for construction, mile for mile, as this road has over the mountains?

A.—No, sir.

Q.—Mr. Towne, will you state to this committee what are the reasons, whether or no you can fix a rate of freight, an arbitrary rate, that shall be just or proper in reference to all classes of goods, or that can be just in reference to all kinds of railroads?

A.—No, sir. It is impossible to make a tariff that would apply to all roads, even all the roads in this State, to say nothing of all the railroads in the United States. It is a fact well known to railroad men that a convention or congress of Railway Superintendents or General Freight Agents—many times both—meets semi-annually for the purpose of adjusting a tariff, more especially their freight tariff.

Q.—Where, Mr. Towne?

A.—In the Eastern States. The last one was held at Louisville. The next one is at New Orleans; at different places, to accommodate the different sections, that they may all be accommodated. Out of the five hundred and fifty railroads now in existence in the United States, all the trunk lines, and all the principal lines, in fact, are represented at these meetings, for the express purpose of adjusting the classifications and tariffs. They consider it of importance—of great importance—to their roads; and these meetings are held as often as every six months, from the fact that the tariff made the first of last January is not applicable to the different parts of a road and the different parts of the country next July. Different kinds of goods are offered for transportation over lines where they have never moved before, and competition comes in that had not existed before, consequently compelling them to change their classification and rates.

Q.—Do we find it necessary, on our road, to very frequently change our classification—to change our prices for freights?

A.—Yes, sir; we do. It is a fact that the product of this country—

this State—on this coast, I should say—is so little known what can be done with it, that we are cutting and trying, to use the expression, all the time. A tariff that was made six months ago is not applicable to the business of to-day. New kinds of freight are offered that have not before made their appearance. As an illustration, I will make one remark, with reference to the Eureka Hair Company, at Dutch Flat. No longer than a week ago, they asked a rate on their product to Chicago, which we gave them, and they accepted it—never a pound of it going to that market before. No longer ago than yesterday, a letter was received from Mill City, saying they had found large quantities of manganese ore, and desired a rate to San Francisco, for the foreign market. We have no tariff on manganese; it is a thing that did not exist to us—that is, we did not know of its existence along the line of the road when a tariff was made; that being a class of goods, if moved at all, must be moved cheaply, at a low transportation, as the demand for it is very small, as compared with other ores. But a few weeks ago, we learned that a large amount of business could be done from Truckee, or along the river—different points—from saw mills, by going in competition with the Bear River, at Corinne, and with the Lake Michigan lumber, competing with those markets; hence, a low rate must be given, or the mills on the Truckee must remain idle, and the large stock they had on hand remain there, for want of a purchaser. We gave a low rate on that freight, from Truckee and immediate vicinity, to Ogden, to stand it. Much of it goes to Cheyenne, in direct competition with Lake Michigan.

Q.—What is the distance to Cheyenne?

A.—Five hundred and sixty miles from Ogden.

Q.—Now, Mr. Towne, you have stated that we are in the habit of discriminating in favor of developing business. I want to know if, in any instance, we ever discriminate against anybody, or discriminate against an individual?

A.—No, sir; not as far as I know.

Q.—Not since you were connected with the road?

A.—No, sir; I do not know of an instance.

Q.—Mr. Towne, take the average of our business, the amount of business done on the road, the cost of the road, the difficulties of operating, and state how, then, the prices charged and collected compare with the roads at the East?

A.—They compare very favorably, and, in fact, at many points from Sacramento east, for the same distance, we charge less per ton per mile than is charged on some of the roads leading out of Chicago over a dead prairie level, and under which is a bed of coal for nearly the entire length of the road.

Mr. Saunders—Do you mean the whole of your road, or on the plain?

A.—I mean from Sacramento east, taking over that mountainous portion. I have the figures in my pocket if the gentlemen desire to hear them read, showing the comparative statement.

Gov.—I wish you would give them.

Mr. Saunders—I would like to ask a question now, in regard to the transporting of freight to supply intermediate points. I do not know what quantities of cereals are transported (grain) from the towns in the interior, that is, down to the Sacramento Valley.

Mr. Towne—From what point?

Mr. S.—Any point fifty miles north of this, or east, rather.

A.—There is no grain brought from that region.

Q.—None in this direction—agricultural products?

A.—No, sir.

Q.—What is it from up the mountain?

A.—Lumber, wood and staves.

Q.—What is the transportation of that?

A.—We charge four dollars per cord on wood from points above Colfax; points this side, two dollars a cord.

Q.—A cord of hard wood weighs about how much?

A.—There are seven cords to a car of ten tons.

Gov.—Now, we bring wood also from away beyond that, even from over on the Truckee and Verdi.

Q.—Bring it to what points?

Gov.—All the way down here.

Q.—How many men do we keep employed between here and the State line?

A.—About two and a half or three on the mountain, per mile. I am unable to give you the exact figures to-night.

Q.—For ordinary track repairs?

A.—For track repairs.

Q.—We keep a large number of men; a force besides?

A.—Yes, sir. Stations, telegraphing, train men, etc., add very materially.

Q.—When you spoke of two and a half to the mile, you did not include the operatives of the road?

A.—No, sir. Included track men.

Mr. Saunders—That is not peculiar to this road. State how many men are required on a road in the plains.

A.—One and a half is ample for an ordinary road on the plains.

Gov.—Now, Mr. Towne, the number of track men employed on the road—does it make much difference as to the amount of business; will the road require to keep the track in repair. Does it make much difference, the business that is done on the road, as to the number of men required on the road for repairs?

A.—It does not. If we were doing twenty times the amount of business we are doing now, it would require the increase of no more track men on that portion of the road.

Q.—The expenses, therefore, on the road are much larger, in proportion, where the business is small, than where it is large?

A.—Yes, sir; very much larger.

Q.—Now, Mr. Towne, you were going to show a statement of the charges of the Central Pacific, as compared with some of the Eastern roads, the Burlington road, for instance, a road which does a much larger business than the Central Pacific, and including every road in this State. I wish you would state, in this connection, the comparative amount of business done over the two roads, mile for mile, the number of trains, freight and passenger, of the roads you are going to give us.

A.—The business of the road referred to, in Illinois (it is an Illinois business), runs as high as thirty trains per day each way.

A gentleman—What road is that?

A.—The Chicago, Burlington and Quincy. Their freight is very large. I spoke of thirty trains a day; twenty-four of them would be freight. These freights are very heavy, scarcely a train brought into Chicago has not thirty-five or forty cars. I have compiled and can give you comparative statements of our tariff as compared with the tariff now in existence on that road. From Sacramento to Colfax, fifty-four miles, we charge five dollars and fifty cents per ton. This road spoken of, the

same distance, charges six dollars and eighty cents. From Colfax to Verdi, where, you will remember, enters in our heavy grades, we charge twelve dollars. For the same distance, ninety miles, they charge eleven dollars and forty cents. From Colfax to Reno, one hundred miles, we charge thirteen dollars and twenty-five cents; they charge twelve dollars. When you take it from San Francisco to points the same distance out, it is much less. Here, then, is an illustration: From San Francisco to Marysville, one hundred and ninety miles, we charge four dollars; their charge is fifteen dollars. From San Francisco to Truckee, entering into this heavy grade again, two hundred and fifty-eight miles, we charge seventeen dollars and twenty-five cents; their charge is seven-teen dollars. To Reno from San Francisco, two hundred and ninety-two miles, we get twenty dollars and fifty cents, while they get twenty-six dollars. To Elko, three hundred and fifteen miles, while we receive forty-four dollars, they get fifty-six dollars. To Stockton, ninety miles, we get two dollars; the same distance they get eleven dollars and forty cents. To Sacramento, two dollars and fifty cents, that is for one hundred and thirty-eight miles; their charges are twelve dollars and eighty cents. I can give you other comparisons, if you desire. I should like to make a statement in reference to what other roads are doing and other roads are charging. There is the New York and Harlem road. They have one hundred and thirty-one miles, running out of that populous city, and they moved, in the year eighteen hundred and sixty-eight, two hundred and eighty-seven thousand tons. There is the Philadelphia and Reading road, one hundred and forty-seven miles, being a great coal thoroughfare; they moved four million eight hundred thousand tons.

Mr. Saunders—What is the price there, by the way, of transporting coal?

A.—Most of the coal on that road they move—get transported for one cent and eight mills.

Q.—How much is that a ton per mile?

A.—That is it, one cent and eight mills per mile. The New York and Harlem road charge the public seven cents and sixty-two one hundredths per mile, and the Reading road charge the public one cent and seventy-four one hundredths.

Mr. S.—Can you tell me what the Baltimore and Ohio charges?

A.—I have not their tariff. No, sir. It is the large tonnage that the Reading road has that is the reason of their bringing the rates down so low; and the small amount transported, why the New York and Harlem must charge the public seven and three quarter cents per ton per mile.

Gov.—Mr. Towne, what would be the effect upon the railroad interest generally in this State, so far as you know, where there would be fixed rates, such as are proposed in this bill before the committee?

A.—I think the effect would be to stop all projected roads. In fact, I know that the Central road and its connections, and other roads connected with it we are building, and the money was obtained on these bonds on the very ground that this State allowed them to charge for freight fifteen cents per ton per mile, and ten cents for passengers. But for that I am very certain you would not have had a railroad of the magnitude you have to-day.

Q.—What is your average of fares and freights below the altitude of Colfax now?

A.—I think our maximum rates we charge from here to Colfax are seven cents for passengers and ten cents for freight.

Q.—What is the average, taking the roads you are operating below Colfax, all classes, both ways?

A.—I do not know what it is. It must be about three and one-half—not more than four cents.

Q.—Take the whole freight through, take the Western Pacific in connection with this road, on altitudes not above Colfax, your freights would not average above four cents?

A.—No; we are charging less than two cents per ton per mile between Sacramento and San Francisco.

Q.—What is it from here to Colfax?

A.—From here to Colfax, fifty-five miles, seven cents for passengers and ten cents for freight.

Q.—What is the elevation at Colfax?

A.—Two thousand and six hundred feet.

Q.—What is it for passengers from here to Colfax? What do you carry them at?

A.—Five cents a mile to Rocklin.

Q.—What is the greatest amount you charge from here to Colfax?

A.—Three dollars and seventy-five cents.

Q.—What is the distance?

A.—Fifty-five miles.

Mr. S.—What is it upon those Western roads?

A.—About four cents to four and three-quarters.

Q.—Gross, I mean?

A.—Four dollars and seventy-five cents for one hundred miles.

Q.—What do they charge from Chicago to Omaha?

A.—Twenty dollars.

Q.—What is the distance?

A.—Four hundred and ninety-five miles.

Q.—That is a level country?

A.—Yes, sir.

Q.—Plenty of coal?

A.—Coal all along the line. You will understand, gentlemen, that there are four competing lines to that point, hence their rate is lowered down to twenty dollars.

Q.—Tell me, if you please, of an isolated line there—that is, not a competing line—in the West somewhere?

A.—Well, sir, I could not tell you of one. They have all competition, more or less, by rail or river. I do not know of one.

Gov.—Mr. Towne, you will give the rates of the Chicago, Burlington and Quincy, as compared to our road. Is it there as here? Has that road competition by water and by rail?

A.—It has both; a very strong competition by rail—the Rock Island road, the Northwestern, Alton and St. Louis, and Illinois Central, all competing for the business. In connection with that road is also the river. The Mississippi River they touch at four different points, and the Illinois River at two different points.

Mr. S.—There is a road running north from St. Louis. There is no competition there except river.

Mr. T.—Oh, yes; the North Missouri competes with that and the Missouri Pacific.

Mr. S.—When I think of it, it is only a projected road. I do not think it has been built. What do you say it is on passengers, from here to Colfax?

A.—Three dollars and seventy-five cents.

Q.—What is your tonnage from here to San Francisco?

A.—Two dollars and fifty cents. One hundred and forty-three miles.

Q.—What is the comparative tonnage amount of business?

A.—Oh, it is greater from here to San Francisco, of course. The road from here to San Francisco has accumulated from the Central Pacific, California and Oregon and Sacramento Valley, freight and passengers.

Gov.—The local business alone, on the Western road; we start from here perhaps with a light train, but by the time we get to San Francisco we have a large train of passengers, picking them up all along the line of the road. We run two trains between here and San Francisco.

Q.—Freight below Colfax will not average three and a half cents per mile, taking the average of the roads you are operating, below the grades of Colfax—taking the granite and wood and low priced ore, etc.?

A.—I should think it would be about three cents, but on merchandise going up our rate is ten cents a mile to Colfax.

Gov.—Mr. Towne, what is the practice as to classifying? Is there any road in the United States that takes all kinds of freight at one price?

A.—No, sir. There are four classes, in fact there are five classes—first, second, third and fourth, and what is known as a special class, and even below that they sometimes reach.

Q.—They do not take mirrors, bureaus and books, taking up space, hats, silks, boots and shoes, and costly things, and bulky things, at the same rate they do pig iron or ore. Their risk to damage is also taken into consideration?

A.—Yes, sir.

Q.—Here we have a list, an alphabetical list, arranged, giving the different articles that are transported. Do we have a different grade for live stock from what we have for dead?

A.—Yes, sir.

Gov.—One word in connection with that—the through business, as compared with the local business. One of these bill speaks of discriminating against the local business.

Mr. ——— That is in the House.

Gov.—By the way, is there any discrimination on the road in its local business?

A.—No, sir.

Mr. ——— What do you mean by discriminating against local business?

A.—That is, giving to you a rate we would not give to your neighbor.

Q.—You charge more for a short distance than you do for a long?

A.—Yes, sir.

Gov.—It is not so; but as a matter of fact, our through freights are an aggregate of the different rates over the subdivisions. For instance, our freights are ten cents a mile from here to Colfax. From Colfax to Truckee they are fifteen. Now, then, the price of goods going to Truckee is just exactly the same as though they went from here to Colfax, were taken off and put on there, and then went from there over to Truckee. For instance, we do not charge fifteen cents from here to Truckee on goods going to Truckee. The local rates and through rates, in this respect, are the same over this portion of the road. Is not that so, Mr. Goodman?

A.—Yes, sir. But from interior points, where they go only eight or ten miles, we do charge more.

Gov.—When I spoke, I had reference more particularly to the passen-

ger business. Mr. Towne, do you think of anything else of information to give this committee?

Mr. Saunders—One question: What is the cost of construction in this country, on the same grades, compared with the cost of construction—the average cost of construction in the Atlantic States? It is a pretty general question, I know; but approximately, on the same grade?

A.—The difference of cost of the material and cost of labor, not only for construction, but for operating, is fully twenty-five, and I think nearly thirty per cent. greater here than there.

Q.—The cost of material?

A.—Yes, sir. Perhaps more than thirty, even.

Q.—And the transportation of material?

A.—Yes, sir. Our locomotives cost about thirty per cent more here, and our cars, our iron and material of all kinds, than it does in the Atlantic States. I am unable to give that difference, but I should say fully thirty per cent.

Gov.—Now, Mr. Towne, give some facts to show this. What is the price paid an engineer of a locomotive in the Eastern States, compared to the price paid here?

A.—Ninety to one hundred dollars per month currency there, and we have been paying one hundred and thirty-five to one hundred and forty-five dollars in coin, and about the same proportion in shop labor; nearly fifty per cent. difference, taking all into consideration, grade of iron and locomotives.

Q.—You mean fifty per cent. higher in gold than paid there in currency?

A.—Yes, sir.

Q.—How is it in regard to coal?

A.—Coal there is laid upon the tender, upon most of those Illinois roads, for from one dollar and fifty cents to three dollars and fifty cents per ton, while here it costs about nine dollars and fifty cents on the tender; there in currency, here in coin.

Q.—What is the comparative quality of the coal?

A.—The coal there is far superior to that of this country for generating steam.

Q.—What is the comparative cost of men there, along the line of the road, and here?

A.—In the State of Illinois, you could scarcely find at any station, other than terminal points, or at some junction, that agents are paid more than sixty dollars per month.

Q.—Greenbacks?

A.—Greenbacks; while here we pay ninety to one hundred and seventy-five dollars for the same class of labor, and less work.

Q.—How in regard to switchmen and ordinary run of laborers?

A.—For the ordinary run of laborers we were paying fifteen shillings—one dollar and sixty-two and a-half cents per day.

Q.—Where?

A.—In Illinois.

Q.—In currency?

A.—In currency.

Q.—What do you pay here?

A.—Pay two dollars and fifty cents to two dollars and seventy-five cents.

Q.—In gold?

A.—In gold.

Gov.—Mr. Towne, you know the price charged on the San José road (Col. Hammond has expected to be up here, but is not here, and I will ask Mr. Towne to throw some light before the committee); what is the rate of charges on the San José road?

A.—As to the passenger rate, sir, I am unable to give you their tariff.

Mr. Goodman—Two dollars and fifty cents from San Francisco to San José.

Q.—Do you know the number of trains a day they run?

A.—I think there are two running through.

Mr. S.—What do you say it is between here and Colfax?

A.—Three dollars and seventy-five cents.

Q.—And fifty-five miles?

A.—Fifty-five.

Q.—What is it from San José to San Francisco?

A.—Fifty.

TESTIMONY OF S. S. MONTAGUE.

Gov.—What is your present position?

A.—I am at present Chief Engineer of the Central Pacific Railroad?

Q.—Are you acquainted with the cost of the Central Pacific?

A.—Yes, sir.

Q.—About what was the cost of the Central Pacific, from Sacramento to the State line?

A.—I do not think I could state now; have not any figures with me.

Q.—Well, in the neighborhood?

A.—The cost exceeded one hundred and fifty thousand dollars a mile, from here to the State line.

Mr. Saunders—How many miles is it?

Gov.—One hundred and thirty-eight miles.

Q.—Is that in gold?

A.—In gold; and worse than that, we used bonds on it that, by and by, we have got to pay back at par. I will show you, this road over these mountains, in the sheds and culverts alone, exceeded the cost of ordinary railroads per mile—just the culverts and shedding alone.

Q.—Mr. Montague, how many miles of shedding have we along the line of the road?

A.—Nearly thirty-three.

Q.—What is the cost of that shedding?

A.—It cost over a million and a half; the cost averaged nearly fifty thousand dollars per mile.

Q.—About what was the cost of the culverts on that portion of the road over the mountains, per mile?

A.—For sixty or seventy miles, fifteen and sixteen thousand dollars; over that rather than less. You well see, the shedding for this thirty-three miles cost on an average fifty thousand dollars a mile. The culverts cost from sixteen thousand dollars to seventeen thousand dollars a mile.

Q.—A large portion of that shedding has been built during this last summer?

A.—Yes, sir.

Mr. —.—Is that shedding continuous all the way?

A.—It is continuous for nearly thirty miles.

Q.—Mr. M., you are familiar with the operating of the Sacramento road; will you state whether that road, from your knowledge of it, could be operated at the rates sought to be fixed in this bill here?

A.—The Sacramento, between here and Folsom, I should say not with the business being done over it. I don't think it could pay operating expenses. Am very sure it could not, with the business it is now doing.

Gov.—I can state if necessary, we could not operate the Sacramento Valley road. I can also say of the Placerville road—its earnings were fifty-two thousand dollars last year. They have only paid two or three years interest on their bonds; since that time the interest has never been paid. The trouble is, there is not business there for it. The passengers this year averaged thirteen down and twelve up. That is all the passengers going on their road; it is nothing towards supporting a road. They run an engine hauling one car, to do their passenger business, one time up and down. Mr. Montague, you heard Mr. Towne's testimony?

A.—A portion of it.

Q.—So far as you heard it, do you confirm what he stated?

A.—Yes, sir; I should, fully.

TESTIMONY OF T. H. GOODMAN.

Gov.—You are the freight agent of this road, are you, Mr. Goodman?

A.—General Freight and Passenger Agent.

Q.—How much experience have you had in that business?

A.—With a break of four years, that I was in this country, I have been in it since eighteen hundred and fifty.

Q.—How long have you been the managing agent of this railroad?

A.—I have been in charge of this business since the first of last May.

Mr. Romer—Is there any class of freight you carry on this road to which you have positive charges affixed, that come under the head of your tariff rate, to which great objections have been made by shipper or consignee? Is there any freight particularly to which objection has been made as exorbitant?

A.—There is no objection that I am aware of.

Q.—As a rule, generally, the shippers and consignees of the freight you carry are satisfied with the rates?

A.—They are, as far as the higher rates are concerned, because they relate more particularly to merchandise. No objections are made to those rates.

Q.—What freights are more particularly objected to?

A.—There is no objection, but we frequently have applications for low freights on a low grade of ores.

Q.—You mean by that, then, freights on which you make contracts—a contract with the shipper or consignee, and they bargain to have it carried; there are no great objections made, yet they try to get it carried at as low a rate as possible?

A.—That is natural, sir. That seems to be the style of freight to

which objection is made, and it is that description exactly which shippers desire to get at lower rates. Most of the freight they request reductions on would be very low grade of ores, that seems as though they would hardly bear shipment at any rate, from their desire and anxiety to get them cheap.

Q.—Have there been some complaints made by some of these lumbermen along the mountain portion of the road, as to charges on lumber?

A.—No complaints have been made, that I know of.

Q.—But have not you made a reduction in that class of freights recently?

A.—We made a reduction the first of September, on lumber going East to local points.

Q.—Is that charge now as reasonable as you think you ought to make, under the circumstances?

A.—I think it is as low as can be made possibly.

Q.—As low as, under the circumstances, you think you could afford to carry?

A.—Yes, sir. In fact, a lumber merchant at Elko asked if we intended to make any farther reduction, thinking it was sufficiently low now.

Q.—The most of these people, then, as a rule, seem to be satisfied with the rates as you have them now?

A.—I should judge so, sir.

Q.—What is your policy concerning the charges on freight? What is your plan of carriage, and what is your rule of inducing freight?

A.—We first see whether it can be moved at a certain price, and a very important point is to see whether we can get return freights—whether we will have return freights right over the same ground.

Q.—Do you make the freight running one way—make the price on that freight depend on return freights?

A.—Somewhat so, if there is a large quantity of freight, and that depends, of course, somewhat upon the style of car required to transport that freight.

Q.—All these explanations pertain to special freights, do they not?

A.—So far as full, large lots.

Gov.—Mr. Goodman, what is the policy of the company as to discriminating in reference to freights, where, by reducing the rates, they can induce additional business?

A.—It has been the policy, sir, since I have been connected with the company, to make a reduction wherever they found they could make a fair, proportionate increase of business.

Q.—What are we bringing ores for now—taking them from Ogden to San Francisco?

A.—Twenty dollars a ton, which is less than two cents per ton per mile.

Mr. Crocker—Could we afford to do all our business at that rate?

A.—Could not, sir.

Q.—If we did not have higher rates on merchandise, could we afford to carry ore at that price?

A.—Could not, sir. The road could not be run.

Gov.—I believe it has been stated here before; what is the distance from Sacramento to Ogden?

A.—Seven hundred and forty-three miles.

Q.—How much of that distance do we charge maximum rates on?

A.—Sixty-six miles.

Q.—That is on freight going up the mountain?

A.—On freight going up the mountain—first-class freight only.

Q.—Now, what proportion, Mr. Goodman, of our freight moving over this sixty-six miles of road, taking it both ways—that mountainous portion of the road—about what proportion do we charge maximum rates on—the tonnage, I mean?

A.—Well, I could not give that. It would be a small proportion; a smaller proportion than we would suppose it to be, if it was figured out correctly.

Q.—Mr. Towne said not the fiftieth part?

A.—It is a very small proportion.

Mr. Romer—Let me ask you: is there as much business within this sixty-six mile section as there is between San Francisco and Stockton, local?

A.—Well, that is a new country now, and we can hardly tell what that is going to develop; but taking this country into consideration, I should not say there would be as much business in that sixty-six mile region as there ought to be between San Francisco and Stockton. The local tonnage now between Colfax and Truckee is not to be compared to what it would be between San Francisco and Stockton.

Q.—Mr. Goodman, about what is the average price that we are receiving over that portion of the road, taking all the freight that passes over it both ways?

A.—I should judge it would be from four to four and a half cents per ton per mile.

Q.—Mr. Goodman, taking the amount of business, the difficulties of operating, the expenses of that road, leaving out the expense of construction, taking the amount of business and expenses of operating that road, how do the rates charged over it compare with Eastern roads. I mean as to whether it is higher or lower than Eastern roads, taking into consideration the expense of operating?

A.—I do not think the charges are any more than the rates in the East, comparative charges, compared with the expense of operating it; in fact, I know on some classes of freight they are not near as much as they charge in the East, where their expenses are very much less than here.

Q.—Mr. G., is it possible to fix any rate of freight that shall be just in its application to all kinds of freight? Can you fix a price so that it shall be just and proper to all kinds of freight—make one price the standard rate?

A.—I do not think it is possible. It is a matter that has been attempted ever since railroads were first constructed, and on the large lines of the East; they have never succeeded yet in doing it, and I do not think it possible to be done.

Q.—Do you mean to say they have ever tried to carry heavy goods, such as iron and lead, at the same rates as they did bureaus and looking glasses?

A.—No, sir; I say they have tried to arrive at some standard classification, and even then they could not make a classification that would last from one year to another.

Q.—If the maximum rates were reduced, then you would have to make up the difference between the lower rate and the existing rate. If the Legislature determined a rate lower than the present existing rate, then you would have to make that up by adding on charges in some other section of the road?

A.—Either that or else increase the rates on some classes of freights that go over that road low—raising those rates.

Q.—That, in your judgment, would work a hardship?

A.—That would be against the interests of the shipper.

Q.—Do you think, as a matter of justice, then, it would be best to give you a liberal margin, and let you exercise your discretion between rates for the benefit of the shipper?

A.—I do, sir.

Mr. Gildea—I would like to ask you what class of freights you transport at lower rates than they do in the East?

A.—Over certain portions of the road, and freight that is going over this sixty-six miles of road, we carry merchandise cheaper than they do in the East. Merchandise is divided into different classes, according to its bulk and weight.

Mr. G.—I would ask what it was?

A.—What they there call third and fourth class, and do not make any difference between the higher class and low grade, in some instances, as we do here.

Another—What do you charge for the lowest class on that sixty-six miles?

A.—Well, on coal, for instance. It has to take its proportion as well as other portions of the line. You speak now of anything that goes across that sixty-six miles?

Mr. G.—Yes.

Mr. Goodman—The lowest we are carrying is coal, for which we get less than two cents per ton per mile, except it may be some goods between San Francisco and New York; where we are brought in competition with the Panama line, we carry even less than that.

Q.—Is there any way freight you take over that road for that?

A.—Coal. We call that way freight.

Gov.—What do we charge per ton, reckoning a ton at a cord—what do we bring wood for from Verdi to Sacramento?

A.—We bring wood from Verdi to Sacramento at thirty-five dollars a car of seven cords. We bring slab, a better quality of wood, five dollars less—thirty dollars a car.

Q.—Mr. G., what is the policy of the company as to rates, where, by reducing, they can induce additional business, even to the point of carrying so as to barely cover the cost?

A.—To induce business and foster trade, in some instances, we carry freights as near as we can to cost prices—even sometimes not knowing what that cost would be; possibly, less than the actual cost.

Mr. Mc.—You say they do not make as much difference on different classes of freight in the East as you do here. What do you think is the difference, in the different classes of freight, in your charges and the charges in the East?

A.—Almost every road in the East has its own classification and its own rate. It would be hard to designate that difference.

Mr. Romer—What is the difference between this road and the others, as far as business is concerned, and the amount of population contributing to the business of the road, the travel and freights? Is their business in excess of yours in a great degree?

A.—Greatly in excess.

Q.—Have you any idea of any proportion of some of the larger roads?

A.—No, sir.

Q.—It is really a great degree, is it?

A.—Yes, sir, I should so consider it. There are some of these railroads there, with stations every three, four and five miles—good large sized stations—all contributing to the business of the road.

Mr. King—I see this bill provides four cents per mile for each passenger, and five per mile for each ton of freight transported over certain roads, at any elevation not to exceed two thousand feet above the level of the sea. Upon the Central Pacific, where is that two thousand feet elevation; at what point?

A.—Between Auburn and Colfax; Colfax being three thousand four hundred and forty-eight feet?

Q.—The freights for the eastern part of Nevada County, Colfax and Dutch Flat—I believe they are the depots for the freights—the principal part of the freight for Nevada County. That of the eastern part is Colfax. What are your maximum rates to Colfax from this place?

A.—Five and a half dollars per ton.

Q.—That is ten cents per mile?

A.—Yes, sir.

Q.—Then the minimum of freights coming west—the products of that county—how low does it come?

A.—Well, there is hardly anything that comes directly from Colfax.

Q.—Well from that region; that is, lumber, wood, etc.?

A.—There is no lumber comes from there. The lumber comes from just beyond there.

Q.—All along that line, from the nearest points at which wood and lumber are shipped, what are your rates?

A.—We bring from that neighborhood for thirty dollars a car.

Q.—How much is that a ton?

A.—Three dollars.

Q.—Then this bill would not guarantee lower rates of freight on wood or lumber?

A.—We would have to increase those.

Q.—Then six cents per mile from each passenger, and seven for each ton of freight transported, on a level of over two thousand feet above the level of the sea. Now, in my particular region of country, Truckee, we are principally interested in lumber, wood and ice; and then our people there transport live stock, and transport their teams over to this side of the mountains, and back and forth. Now, how would this bill regulate that species of freight? Would it be lessened by the provisions of this bill?

A.—It would not lessen lumber or stock, ores, wood, shingles, shakes, or anything of that kind. They are now below that figure—considerably below it. It would lessen nothing except merchandise going to that point.

Mr. K.—As observed by Mr. Crocker, people complain more of that they have to ship—their own products—rather than that they purchase. Now, I find that to be the case. With Mr. Towne's statement the other evening, when I was present with the committee, it was made clear to my mind. Having the bill here this evening, I proposed to put the questions to Mr. Goodman, so that we might understand it perfectly well.

Q.—Mr. Goodman, in shipping lumber from Truckee to this point, what is the rate per ton, reducing it to tons? What is it per ton per mile, taking the whole route from Truckee to this point?

A.—Four dollars per ton.

Q.—Then it comes down to three and a half to four cents per ton per mile, does it?

A.—A little over three and a half cents.

Q.—Then this bill becoming a law, and my people shipping lumber over this way, if, by this mode of reasoning, you reduce the maximum of freights down to seven cents, you must bring the minimum up so as to make a profit; therefore my people would be the losers by the provisions of this bill?

A.—Either raise on the lower grades of freight, or else reduce the class of cars we run, giving you an inferior style of equipment. Instead of good first class coaches, run emigrant cars. Something of that kind.

Q.—In the shipping of wood, then, Mr. Goodman, your price is thirty dollars and thirty-five dollars a car?

A.—Yes, sir.

Q.—That, then, is still much lower than lumber rates?

A.—The provisions of that bill would allow us to charge seventy-three dollars. If they made that the maximum, that would allow us to charge that on anything between here and Truckee. Now, we are charging as low as thirty dollars.

TESTIMONY OF JOHN CORNING.

Gov.—How long have you been connected with railroads?

A.—Twenty years.

Q.—In various capacities?

A.—Yes, sir.

Q.—What is your present position?

A.—Assistant General Superintendent, Central Pacific Railroad.

Q.—Of course you are familiar with the operations of that road?

A.—Yes, sir.

Q.—Will you please tell the committee the comparative difference in expense between operating the road in the valley and on the mountains?

A.—I think it costs at least four times as much to operate this mountain road here as it would a valley road.

Q.—Give me the reasons why it costs more to operate on the mountain than it does in the valley.

A.—We have to use a heavier class of engines and more train men. An engine from here to Rocklin will take forty cars, it taking four or five engines of greater capacity to take these cars up the mountains.

Q.—What is the proportionate amount of fuel consumed by each engine hauling the divided train up the mountain, compared to what engines hauling a full train in the valley would consume?

A.—I should say one-third more, possibly a half.

Q.—What is about the wear and tear of the road working up and down the mountain—the heavy grades and heavy curves—as compared with working on easy grades and a comparatively straight road?

A.—The wear and tear is much greater on iron. I think on the iron on this mountain it is one-third more. The wear and tear on wheels is much greater. We don't get the life of a wheel on this road.

Q.—It is not wearing them—it is breaking them? It breaks the wheels?

A.—Yes, sir; and the iron on curves cuts out much faster.

Q.—You use the same weight of iron on the mountain that you do in the plain?

A.—Yes, sir, except a little which is higher and a little heavier.

Q.—The same kind of iron?

A.—Yes, sir.

Q.—Please state to the committee whether or no it is more costly in keeping up the road in the mountains, where the heavy cuts, fills and snows are, than in the valley?

A.—The expense is very much greater. We employ about double the force of men (trackmen) on an average the year round.

Mr. R.—Is it a matter precarious?

A.—It is.

Q.—The chances of extraordinary expenses are greater?

A.—Yes, sir, accidents, etc.

Q.—Let me ask you what is the length of the Central Pacific Railroad?

A.—Seven hundred and forty-three miles.

Q.—Out of that distance, how much of it do we charge the maximum rates on, on any portion of freights that goes over it?

A.—I think it is only between Colfax and Truckee.

Q.—How many miles?

A.—About sixty-six.

Q.—On that portion, what is the policy of the company, and on all the road, so far as reducing rates of freights, whenever by so doing we can induce additional business or develop additional industry?

A.—That has always been the policy of the company—to reduce freights whenever it would develop business.

Mr. R.—To invite freight—to tempt it?

A.—Yes, sir.

Q.—Is it, or is it not, the declared policy of the company, and do they not act upon it, that whenever they can open up a new industry they do so, and transport freight, though the cost of transportation shall be only equal to what they receive?

A.—That always has been the case, and we have always acted on that policy to develop some industries; and we have done business at very near cost.

Mr. R.—To say nothing about the wear and tear, the mere cost of operating, or the interest on the cost of the road?

A.—Yes, sir.

Q.—You are familiar with the road, taking the average of the business done on the road. Take it over the mountain—that is, take that part of the Central Pacific that lies in the State of California; take all its business both ways, what is the average, as near as you can get at it, of the price of freight—what will it average, both ways, merchandise and all classes of freight?

A.—I should not think it would average over two and a half or three cents per ton per mile.

Mr. R.—How do you estimate that? By taking the total receipts of the business done within the State, and then making an average per ton per mile? Is that it?

A.—Yes, sir.

Q.—Now, Mr. Corning, the class of goods on which we charge maximum rates for that short distance, sixty-six miles, is chiefly merchandise?

A.—Merchandise; yes, sir.

Q.—By reducing the rates on that class of goods—of freight, would we materially increase the business?

A.—I don't think we would.

Q.—Would not any decrease at the present time, to the extent it would decrease, be a positive loss to the company?

A.—Yes, sir.

Q.—Now, Mr. Corning, you are familiar with many of the railroads of the United States?

A.—Yes, sir.

Q.—Taking the average rates at which we do business over the Sierra Nevadas, how will they compare with the rates of freight on other railroads East?

A.—I do not think it would vary much from the roads in Illinois and through there.

Q.—Now, Mr. C., the rates at which railroads can do business depends upon the amount of business that they can accommodate and reach, and the extent and character of the country—the population. Now, in proportion to the expense of operating the Central Pacific Railroad, the amount of freight and goods taken over that road, and the cost of the road—how then will the business of the Central Pacific Railroad compare with the lowest class of railroads—the railroads that transport goods at the lowest rates in the United States?

A.—I think the Central Pacific are doing business cheaper than any road, taking everything into consideration.

Q.—That is, as against the expense of operating?

A.—Yes, sir.

Mr. R.—Governor asked you a little while ago the question whether, if you reduced the rates on the road, on merchandise, that would increase the business of the road. You answered, no. Now, let me ask you: do you make any discrimination as between shippers and consignees, upon merchandise, upon the same class of freights?

A.—No, sir.

Q.—You follow the arbitrary rule, no matter to whom the goods are consigned?

A.—The small shipper has all the advantage of the large shipper.

Q.—Mr. Corning, is there any railroad in the United States that has the same difficulties—grades—to encounter, as the Central Pacific Railroad?

A.—No, sir.

Q.—Do you know the greatest elevation of any road, aside from the Union Pacific?

A.—No, sir; I do not.

Q.—Is there any other road in the United States that has grades as much per mile as the Central Pacific has over the mountains?

A.—No, sir; there is not.

Mr. R.—Mr. Corning, you say freights average three and a half to four cents?

A.—I could not get at those figures exactly. I do not think it runs over three and a half or four.

Q.—That is very little more than one-half the rates proposed in the bill of Gildea's.

A.—I have not seen the bill.

Gov. S.—I want to ask Mr. Corning, if the rates were reduced as proposed in this bill, whether we then could discriminate as we do for

the development of various industries, and transport freight as low as we do many kinds?

A.—No, I don't think we could.

Mr. R.—Could you transport freight at all, practically, supposing you have an arbitrary rate of four cents per mile determined by law as the maximum? Could you afford to carry freight from San Francisco to Sacramento, or San Francisco to Stockton depot, where you have the river competition, where you are obliged to carry it for one cent, and to Sacramento for one and a quarter, as you are forced to do now, or not get the freight? With that competition, and the competition of the other railroad up to Marysville, and the river competition to that place, if that arbitrary rate was fixed, could you secure the carriage of freights at all?

A.—No, sir.

Gov.—Can you adopt an arbitrary rule of rates that shall be just, or under which all roads can operate? That is, can a road that is doing but little business or is a short road, or a road that runs through a sparsely settled country—will it pay that road to do business at the same rate that another road doing a large business, a longer road and running through a populous country, can do it at? Now, as a matter of fact, isn't it the case that a railroad running through a populous country, and running through large business centres—large cities—don't it often find, by reducing the rates, it will increase its business and income?

A.—Yes, sir.

Q.—Now, when it runs through a sparsely settled country, where its business is necessarily very limited, may it not often be that a reduction of rate, instead of increasing the income, would almost be a positive loss to the extent it reduced the income?

A.—Yes, sir; on these roads it would.

Q.—As to the character of freights, on which we charge maximum rates—groceries, provisions, and that class (of goods) consumed by the miners—would the quantity be materially increased by reducing the rates, or even if we transported for nothing?

A.—I don't think it would. There is only a certain number of people there, and they would have as much at one rate as they would at another. It would not make any difference in the consumption.

Mr. R.—A miner living at Truckee, for instance, does he not pay less for food and clothing, and the articles he consumes and wears—does he not pay less now, and what proportion less does he pay than before the road was constructed, when he had to get supplies by teams? Isn't it less?

A.—Oh, yes; very much less.

Mr. R.—Supposing the road did not exist, what benefit does the consumer at Truckee derive from the operations of the road that carries the goods he consumes to him? You have no idea what the freightage would be if the road did not exist?

Mr. Crocker—It would be about three cents a pound, instead of three-quarters of a cent, as it is now.

Q.—Isn't it three or four times more, taking away your road, or seven times more?

A.—It is five times—just about five times. To Dutch Flat it was two and a half. One time, eighteen hundred and sixty-eight, we paid as high, when constructing the railroad, as eight cents to Dutch Flat, when we were building the road along there.

Mr. R.—Suppose, now, an arbitrary rate should be fixed as the maximum you were obliged to charge, no matter what section of the road it was on, but charge that over every part of the road, whether you had river or railroad competition, or not, and the maximum rate be such a price, if you arbitrarily charge it, you could not operate the road, and should discontinue, what would be the effect upon the property along the line of the road? At a rough estimate, what would be the damage to the State in the depreciation of the valley along the line of the road, from the State line?

A.—Don't know.

Mr. Crocker—Truckee is built up entirely by the road.

Mr. R.—We will moderate this question a little. What industries has the road developed?

A.—It has developed the mining industries of Nevada and the lumbering interests clear to the Truckee and all through the Sierra Nevadas. The mining and lumbering business has the greatest development.

Q.—How much has been the increase of population along the line of the road, from the day you started into the operating of the road?

Mr. C.—I suppose it has quadrupled it.

Q.—And it has developed all the valley property for many miles each side of the road?

A.—I could not tell that. I know the assessable value of these counties has been running down for years; but after the road was completed it began to run up again; has been increasing every year, and has increased all the time.

Q.—Then this road has developed towns along the line of the road?

A.—Oh, yes; several large towns have been developed. Truckee is but a creature of the road. There was nothing there until the road commenced to build there.

Q.—How many men do you give employment to, leaving the Chinamen out?

A.—Well, I really could not say. On the whole line of the road, we must employ, leaving Chinamen out, two thousand men. I should think, in all capacities, nearer four thousand.

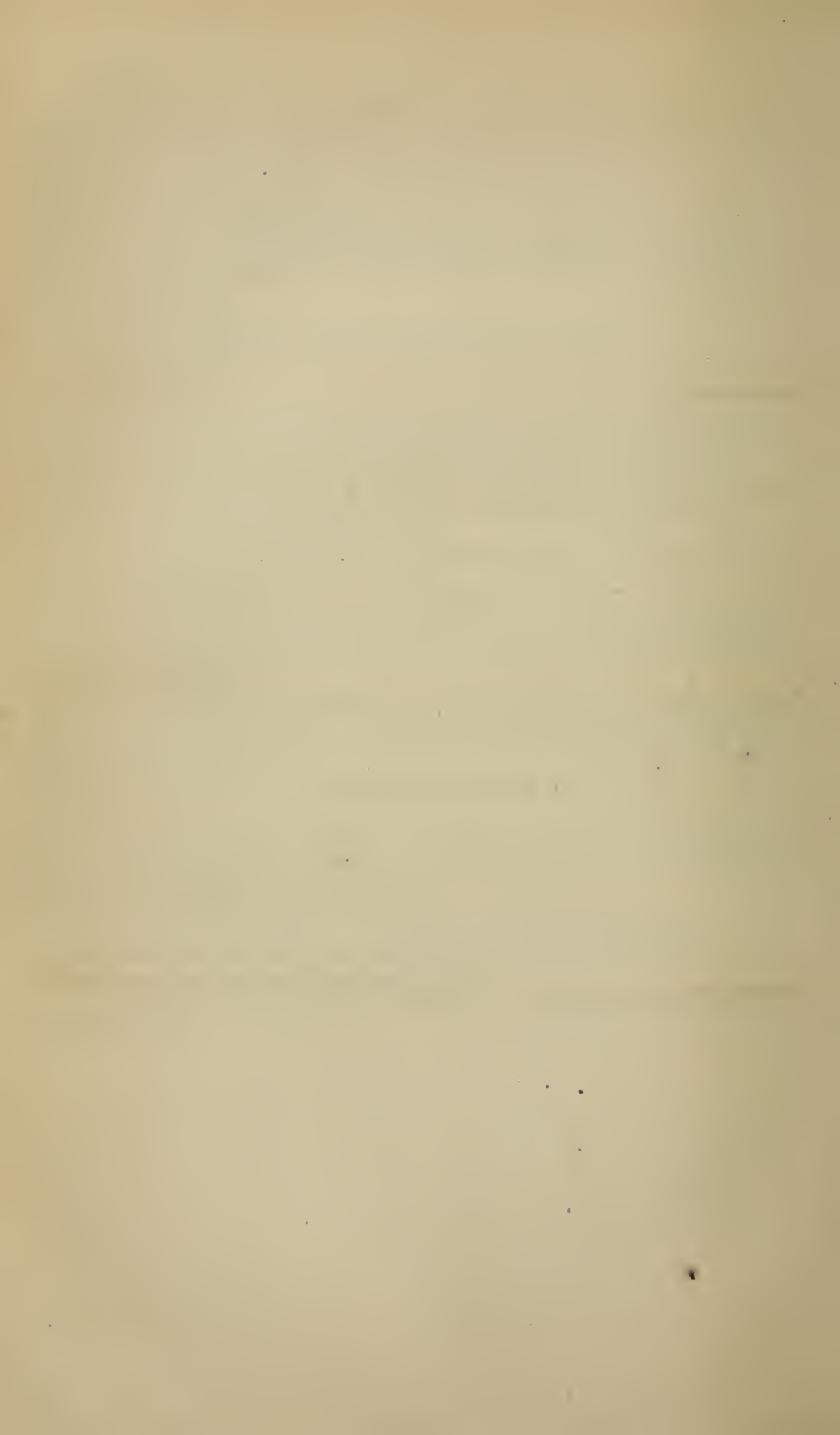
Q.—What kind of men are these men? Got families?

Mr. C.—Most of them have. We always prefer married men.

Q.—In a rough estimate, how many human beings, men, women and children, does the road give employment to?

A.—There are over four thousand white men employed on the road at the present time.





R E P O R T

OF THE

SENATE FINANCE COMMITTEE

RELATIVE TO THE

ENDOWMENT OF THE STATE UNIVERSITY.

D. W. GELWICKS, STATE PRINTER.

REPORT.

MR. PRESIDENT: The Finance Committee, to whom was referred Senate Bill No. 355—entitled an Act for the endowment of the State University—beg leave, respectfully, to report that they have had the same under consideration and report the bill back, with amendments, and recommend its passage.

The committee have made a full investigation into the financial condition of the University and of its needs for some years to come, and they are satisfied the sum of fifty thousand dollars per annum, provided for in this bill, out of the proceeds of the sale of tide and overflowed lands, is necessary to place the institution on a secure footing, and make it, as it was intended to be, a credit to the State and the culminating feature of our system of public schools.

The University is at present temporarily located in a frame building of moderate size, situated in the Town of Oakland. The building is rented, and is inferior in every respect to many of the Grammar school houses in the towns of this State.

It is clear that this arrangement cannot long continue with safety to the efficiency and success of the institution, and that suitable buildings must be speedily erected to meet its growing wants and to accommodate the large number of students who it is known are preparing to enter at the beginning of the next term, and the still larger number that it is confidently expected will seek admission by the time the new buildings can be completed.

The University owns property of great value, which has been acquired at an expense to the State of less than one-eighth of its present worth. This property consists of a beautiful tract of two hundred acres of land, situated at Berkeley, four miles north of Oakland, highly improved by the setting out of large numbers of useful and ornamental trees and the construction of numerous roads, walks and avenues; of all the waters outside of this tract that can be made available, together with dams, flumes, reservoir, pipes, etc., to convey the waters upon the University grounds; of a large and choice selection of philosophical and chemical apparatus, sufficient to illustrate all the branches of science and equal in quality to the collections of the oldest and best equipped universities in

the United States; of a valuable technical library, and the nucleus of a general library.

All this property, estimated to be worth from two hundred and twenty-five thousand dollars to two hundred and fifty thousand dollars, has cost the State less than thirty-five thousand dollars.

To make it available, to elevate the surroundings of the University above the grade of a second class Grammar school, and to accommodate the hundreds of students that we may reasonably expect will soon be applying for admission, it is necessary that the University put up its own buildings on its own property. Towards this, the Regents have at present available resources amounting to seventy-seven thousand six hundred and fifty-five dollars, and during the year expect to receive from the sale of tide lands the further sum of one hundred thousand dollars, making a total of disposable funds, present and prospective, of one hundred and seventy-seven thousand six hundred and fifty-five dollars. Out of this amount must be paid the salaries of the Professors and officers and incidental expenses, amounting to the fixed sum, per annum, of forty-five thousand six hundred and ninety-six dollars.

This would require ninety-one thousand three hundred and ninety-two dollars during the years eighteen hundred and seventy and eighteen hundred and seventy-one, before the next meeting of the Legislature, and would leave but eighty-six thousand two hundred and sixty-three dollars with which to erect and equip the new building, a sum, of course, altogether insufficient. Even if it were used as far as it would go, it would leave the buildings in an unfinished and useless condition, and the University without a dollar thereafter to pay its necessary current expenses. If, however, the bill under consideration should be passed, securing for some years to come the sum of fifty thousand dollars per annum wherewith to pay the fixed expenses of the University, nearly all the present available resources (one hundred and seventy-seven thousand six hundred and fifty-five dollars) could be used for the construction and equipment of the buildings. This sum, with judicious management, we are assured, will provide all the accommodations pressingly needed, without further assistance from the State. If the endowment asked for in this bill is refused, the construction of the buildings must be stopped, for it would be folly to expend the only available resources of the institution in building, and then be compelled to discharge the Professors for the want of means to pay them. The only alternative would be to continue the University in the present modest, frame, rented school house, and this would be death to the institution. Our University must be first class in every particular, or it must sink into insignificance. No medium position is possible. It must be better than any of the other institutions of learning on this coast, in the ability of its faculty, in the excellence and convenience of its buildings, in its library, its apparatus, its equipments generally, and in the beauty, attractiveness and advantages of its location and its site. If deficient or inferior—indeed, if only equal—in these particulars to other colleges, it must go down. It must, therefore, have suitable buildings; and these, we are convinced, cannot be obtained unless the endowment bill is passed. The one hundred and fifty thousand acres of land granted by Congress to this State, for the establishment of a College of Agriculture and the Mechanic Arts, have been appropriated by law to the support of the University, which embraces five colleges—one of letters and four of arts; among them a College of Agriculture, a College of the Mechanic Arts, and a College of Mining and Metallurgy. But a small portion of

these lands has been sold, and it has been found necessary to locate the great body of the grant in the most distant and sparsely settled portions of the State, because nowhere else could unoccupied public lands be found. These locations must be held for a market, and no considerable revenue can be expected from their sale for four or five years to come. Meanwhile our University must be maintained, and the endowment bill seems the most feasible and least burdensome means of providing the necessary income. It is far preferable to an annual appropriation of fifty thousand dollars out of the current revenues of the State, derived from the taxation of the people. If, after the lapse of a few years, it should be found that the University can be sustained by the revenues derived from the sale of its lands, the Legislature can repeal the endowment bill and transfer the funds set apart by it into the State treasury, to be devoted to other uses. In order to secure such control over the endowment by the Legislature, and to remove all doubts as to its power to revoke it, your committee have recommended that the bill be amended by striking out the words "perpetual" and "forever," in the first line of section two. Thus amended, we recommend that the bill be passed.

In conclusion, your committee would represent that the University is the fulfilment and the complement of the common schools of this State. It is absolutely free to all properly qualified applicants; and it is with pardonable pride that our young State can point to the fact that she is the first to provide the means whereby the son of the poorest parents may receive a thorough education, from the Primary school, through all the grades, up to the University, and there obtain all the benefits of the highest culture, without charge. Should narrow views prevail, and our University be permitted to linger for a little while through a sickly existence, and then die for the want of support, and we be compelled to announce to the world that its doors are closed, and to send forth our young men into foreign lands to be educated, it would bring shame and humiliation to every Californian, and make us a scoff and a by-word among the enlightened people of the world.

All of which is respectfully submitted.

E. M. BANVARD,
WILLIAM MINIS,
B. D. WILSON,
GEORGE C. PERKINS.



REPORT

OF THE

COMMITTEE ON EDUCATION,

CONCERNING THE CONDITION OF THE

STATE EDUCATIONAL INSTITUTIONS.

D. W. GELWICKS.....STATE PRINTER.

R E P O R T .

To the Honorable the Assembly of the State of California :

Your Committee on Education having, in accordance with a resolution of the Assembly, adopted on the fourth day of February, eighteen hundred and seventy, visited the various educational establishments of the State, beg leave to report the following, as the result of such visits :

NORMAL SCHOOL.

The first institution visited by your committee was the State Normal School, situated at present in the City of San Francisco.

This institution is under the control of Doctor Luckey, as Principal, assisted by Mr. Carlton, as Vice Principal. There are, in addition, seven teachers, three of whom are males, and four females. To the male teachers are committed the special departments.

The pupils number two hundred and ten, one hundred and one being in the senior, and one hundred and nine in the junior department.

About one-half of the pupils reside in the City of San Francisco; the remainder are divided between thirty-five counties of the State.

Your committee had an opportunity of being present at two routine examinations of the pupils, and were highly gratified at witnessing their proficiency, as well as the care and attention displayed by the Principal and his assistants. The course of study and general training of the school are complete, and of a satisfactory character. Its present condition is prosperous and efficient; and your committee are convinced that it is eminently calculated to supply competent teachers for the rising generation throughout the State.

Your committee are informed that persons educated in this school have usually been employed as teachers in preference to others; and this will not seem strange when we reflect that teaching itself is an important art, only to be acquired by study and long special training. Such is the advantage, in this respect, which the institution in question has over others, that persons already engaged in teaching find it to their account in availing themselves of the arrangements which permit them to attend its instruction.

It was suggested to your committee, that accommodations for a larger number of pupils should be provided, in any buildings which may hereafter be erected, and especially, that there should be a boarding house and dormitories, of which female pupils might avail themselves at much less cost than under the existing system of living in families.

Such, it appears, is the plan adopted in the State of New Jersey, where it has been found to work well.

It was also suggested to your committee, that a species of Sinking Fund should be formed, by the imposition of a small fee upon each pupil, for the purpose of paying for the erection of the proposed new building. As the estimate cost of such building is thirty thousand dollars, your committee are induced to regard the plan suggested as delusive and premature.

The subject of Normal Schools has, of late years, received much attention, both in Europe and the United States. The importance of teaching the art of teaching is, at this day, duly appreciated; hence, institutions of this kind have greatly multiplied in those countries where public instruction holds its proper place in the minds of the rulers.

In France, there are over eighty Normal Schools; in Prussia, fifty; in England, forty; and so small and poor a country as Switzerland even, has as many as thirteen.

Most of the German States are also well provided in this respect.

Nearly all of the Western and Northern States of our Union have well endowed and prosperous institutions of this class. That of New York, founded in eighteen hundred and forty-four, receives at least twelve thousand dollars per annum, from the State, and has, since its institution, sent forth among the people over one thousand qualified teachers.

Attempts have been made, both in Germany and in our own country, to engraft Normal Schools upon the ordinary educational establishments of the country, but so far as your committee are advised, they have uniformly proved failures in practice. It was tried in New York, but with such inadequate results, that Mr. Horace Mann characterized it as "one of the most unfortunate movements ever made in this country in regard to education."

In view of the vast importance of the system to the education of our people—in view of the benefits already derived from it, and of its present efficient and promising condition, your committee are prepared to recommend the Normal School to the Legislature and the people, as an object of their special attention and favor.

They would further recommend that the sum appropriated per annum should be increased from eight to ten thousand dollars, so as to make the entire appropriation for the years eighteen hundred and seventy and eighteen hundred and seventy-one, twenty thousand dollars, instead of sixteen thousand dollars, as heretofore.

DEAF, DUMB AND BLIND ASYLUM.

Your committee, in pursuance of instructions, also visited the Institution for the Deaf, Dumb and Blind, situated near Oakland.

It is under the superintendence of Mr. Wilkinson, and at present, accommodates about fifty deaf and dumb, and thirty blind pupils.

Some of the deaf and dumb pupils are employed in boot and shoemaking, and your committee were informed that arrangements are in progress for the instruction of the blind inmates also, in some of the

few useful trades, for engaging in which their terrible deprivation is no absolute disqualification.

As far as your committee could ascertain, the arrangements and conduct of the institution are such as to promote the health and comfort of the pupils, and in the main, they tend to enhance the happiness and content of those whom nature has severed from intercourse with their kind, by barriers apparently impassable.

The building is beautifully situated, and well fitted for the purpose designed, though your committee have to regret that the entrance hall and lower apartments were not erected on a larger scale. Notwithstanding these drawbacks, however, the building will, in all probability, prove sufficiently capacious for many years to come.

When, in the future, our population shall have greatly increased, and the unfortunate persons to whom this institution is devoted shall have become much more numerous than at present, the accommodations can be enlarged by the erection of additions to the building now in existence.

The institution in question is one which all considerations of expediency, humanity and religion, unite to commend to the favor of the people.

There is no more certain test of the civilization and social progress achieved by any community, than the degree of attention and care it manifests for those unfortunates whom nature has cursed with the deprivation of any of the organs necessary to physical perfection.

Your committee, therefore, are disposed to recommend, that while insisting on the strictest economy in the expenditures, the Legislature should exhibit a liberality towards the institution commensurate with its great importance to our people and society.

The expenditures for the two past years, as shown by the report of the Treasurer, appear to your committee, when the number of inmates is considered, to verge on extravagance. Your committee, however, make this statement by way of suggestion, rather than as a definitive and final conclusion.

Your committee recommend an appropriation of the sum of twenty thousand dollars per annum, making an aggregate of forty thousand dollars for the current expenses of the institution, from the first of October, eighteen hundred and sixty-nine, to the first of October, eighteen hundred and seventy-one.

Your committee are disposed to regard this sum, together with the sum of four thousand five hundred and eighty-seven dollars in the hands of the Treasurer, on the first of October, eighteen hundred and sixty-nine, as amply sufficient to carry on the institution in an efficient and economical manner during the period mentioned.

STATE UNIVERSITY.

Your committee, in further performance of their duties, visited the site selected for the State University. Certainly, no more judicious selection could have been made in this State.

It lies among the beautiful declivities back of the City of Oakland, from which place it is three miles distant, and, in an eminent degree, combines picturesqueness of situation with facility of access. The grounds selected embrace about two hundred acres of land, and command a delightful view of the Bay, the Golden Gate and other objects of interest.

As respects the College of Mines, of Engineering and of the Mechanic Arts, your committee advise that, in pursuance of the numerously signed petition heretofore presented to the Legislature from the mechanics and industrial classes of San Francisco, they should be located in that city. This will give the workingmen of San Francisco an opportunity to attend the course of instruction in each of those special departments, as well as access to the library, and such public lectures and experiments as may form a part of their educational system. The improvement of the minds of the working classes must be a great desideratum, so long as those classes continue to be, as they now are, the substratum and source of our prosperity and social progress; and your committee trust that the time will never come when such improvement will be a matter of indifference to California Legislatures.

As respects the University buildings, your committee recommend that ample accommodations, in the way of boarding houses and dormitories, should be provided in connection with the institution itself. Its distance from any city or thickly populated place renders this absolutely necessary.

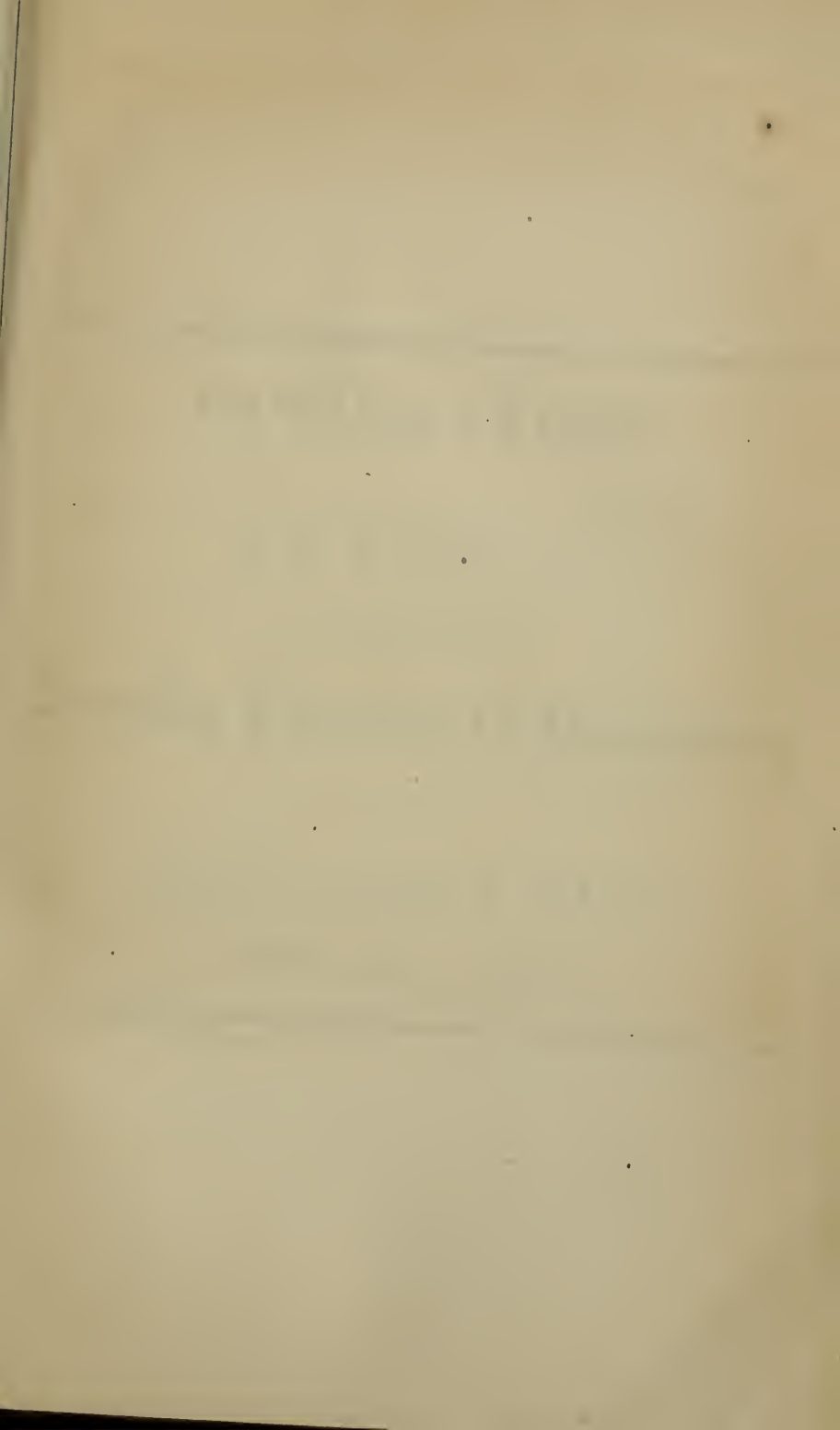
The Regents of the University have requested that so much of the proceeds of the tide land sales should be set aside for the use of the institution, as would bring in a yearly revenue of fifty thousand dollars in gold.

While disposed to recommend great liberality on the part of the Legislature towards an institution so important to our future wellbeing, still, your committee are not prepared to go as far as in proposed.

To yield a permanent yearly income of fifty thousand dollars, it would be necessary to provide a fund of from seven to eight hundred thousand dollars. This, in the opinion of your committee, would consume a very large proportion of the money derived from the tide lands, and it must be remembered that there are other claims on the State, equally important and necessary to be satisfied, as that of the institution in question.

Your committee, therefore, propose to adopt a middle course—a course which, while satisfying the wants of the University, will not too seriously impair the resources of the State, or increase taxation at a time when the people seem created for no other purpose than to be taxed. They propose to set aside, yearly, a certain percentage of the tide land money for the use of the University, until it shall amount to such aggregate as the Legislature shall determine upon; and after mature consideration, your committee recommend that the proportion thus set aside should amount to one-third, or thirty-three and one-third per cent. of the net proceeds from such sales.

T. A. SLICER, Chairman.
E. W. DOSS.





IMMIGRATION.

AN ADDRESS

DELIVERED BEFORE THE

Assembly Committee on Immigration,

BY

ALEXANDER D. BELL.

FEBRUARY 1, 1870.

D. W. GELWICKS, STATE PRINTER.

IMMIGRATION.

AN ADDRESS TO THE HONORABLE COMMITTEE OF THE ASSEMBLY OF THE LEGISLATURE OF CALIFORNIA.

GENTLEMEN: Before entering upon the task of explaining the intentions of the promoters of the bill for establishing a State Board of Immigration, and giving you the reasons which induced our Board to draft its several provisions in their present shape, allow me to say a few words upon the general subject of immigration. The pamphlet which has been placed in your hands—made up of extracts from editorial articles published in the *Bulletin*, *Examiner*, *Alta*, *Chronicle*, *Call*, *State Capital Reporter*, *Record* and *Bee*, in the months of October, November and December last—will show you, on the most cursory glance, that the importance of immigration and the necessity of the work being done at the State expense and under State control, has not been under-estimated by the journals named.

What we have undertaken to propose has been advocated by newspapers of all shades of politics—by all as a certain means of imparting fresh life and vigor to the growth of California, and giving her a better chance in the race with her competing sisters towards wealth, population and power; also by some as the best means of checking the evil of Chinese immigration.

Some few writers, not, however, in the journals named, have consistently opposed immigration on the ground that neither larger population, nor the increased wealth it would bring, is desirable. It is strange that such arguments should be advanced in this enlightened age, and it is especially strange that such views should be announced in journals published in a country which owes three-fourths of its present population and a large portion of its great wealth to the immigration, and the fruits of the immigration, which it has received in this century.

These writers explain their position by declaring that while the introduction of frugal and industrious immigrants in large numbers would undoubtedly greatly benefit those citizens who possess the faculty which enables men to take advantage of circumstances and rise in the world, yet it would not benefit those who cannot or will not seize opportunities, however good, when offered them. In short, while these opponents admit that the men who will labor and save, will raise themselves above their present station, and place their families beyond the reach of any

reaction which may possibly in the future, as in Illinois, follow a long season of prosperity stimulated by immigration, they say, on the other hand, the men who will *not* work steadily while wages are high, or if they do, will squander their earnings in folly and extravagance, must and will suffer by immigration. For the honor of California, no one will say that the frugal and industrious citizens of this State are in the minority and the idle and reckless in the majority; hence by their own admissions, if the rule of good government is "the greatest happiness of the greatest number," these objectors allow that the benefit of the prudent majority should be sought and secured, not sacrificed to the protection and encouragement of the *imprudent* minority. Shall we not also say that the frugal and industrious majority is better worth the consideration of the Legislature than the idle and dissipated minority?

We are told that there are in one city of this State seven thousand men in forced idleness. It may be that the number of unfortunates is exaggerated, but whether it is or not, let us look our position squarely in the face. Six hundred thousand people in California, and four hundred thousand of them living in towns, supported by two hundred thousand living in the country—working our mines, cultivating our lands and herding our flocks. Four hundred thousand people attempting to live by supplying the wants of two hundred thousand producers. Is it not an anomaly? Is it not unprecedented? Is it surprising that the attempt has been unsuccessful and the result is failure and suffering?

Such writers as Horace Greeley have said: "There are two hundred thousand people in New York who will not leave that city until they are starved out of it." Yet we have never heard that the editor of the *Tribune* had attacked or discouraged immigration on the ground that the overcrowding of the cities of the Atlantic coast produced distress. On the contrary, he would say, immigration enriches the United States, makes her great and powerful among nations, and the interest of a whole people cannot be sacrificed to the weakness of a class who will not help themselves by seeking work where it can most easily be found.

The position of our seven thousand unfortunates is somewhat different; they are mostly dependent on daily labor for sustenance; they have not the means of cultivating the soil on their own account, and cannot readily find employment in town or country. We say that while some means of giving them relief in their present necessity should be devised, the next good work which the Legislature can do is to inaugurate a great measure—*immigration*, which, by restoring prosperity to the country, will give all these men another chance of establishing themselves permanently above the fear of poverty.

OFFICIAL RECOMMENDATIONS.

The subject of immigration has been pressed on your attention, not only by the majority of journalistic writers, but also by the executive officers of the State.

The Surveyor-General of California, in his biennial report, says: "The question we now have to deal with is, as to the best plan to be adopted to get emigrants to come to our State. In my opinion, the Legislature should take the matter in hand, and make some provision to encourage immigration. *A few hundred thousand dollars could be profitably expended in this laudable enterprise.* Agencies could be established in England, Ireland,

France and Germany. Most of the Western States have agencies there, and California should have hers."

And again, after speaking of the San Joaquin and Tulare valleys: "Maps showing these valleys and the unoccupied land of the State should be made for distribution. The State should use every exertion to promote immigration of the industrious classes from Europe. We want workers; we have non-producers enough here already; we have doctors, lawyers, clerks and politicians in abundance; we now want farmers, mechanics, artisans and wine-growers; all of this class can find profitable employment here, and in a very short time can make comfortable homes for themselves and families."

His Excellency, Governor Haight, has pressed the same subject on your attention on the two-fold ground: the material advantage of the State, and the moral advantage of displacing the Chinese coolie laborers:

"The importance of facilitating immigration from the Eastern States and Europe is felt by all who are interested in our material development. A moderate expenditure of money to establish agencies in New York and Baltimore, and in Europe, would probably be of service in directing immigrants to this coast, and securing additional means for their safe and speedy transit hither. Agents of this character could do much towards diffusing information as to the advantages offered by California, and making favorable arrangements with railway and steamship corporations.

"We need population—not of races inferior in natural traits, pagan in religion, ignorant of free institutions, and incapable of sharing in them without putting the very existence of those institutions in peril—but we need immigrants of kindred races, who will constitute a congenial element and locate themselves and their families permanently upon the soil; who can be admitted to an equal share in our political privileges, and respond to all the obligations imposed upon citizens under a republican Government. One great need of California is a farming population from Germany and other European States, accustomed to the cultivation of the grape and other branches of agriculture, to which our climate and soil are so peculiarly adapted. We have millions of acres of public lands in the mountains and valleys, on the coast and in the interior, open to purchase and settlement at moderate prices, and a climate, as a whole, the most equable, genial and healthful on the globe. For certain branches of agriculture, especially the production of raw silk and the culture of the grape, no climate or country can possess more favorable conditions; but we need an agricultural population to develop our resources in this direction, and we also need an immigration of Eastern and European mechanics and laborers. It is a general desire that some measures not involving extravagant expenditure might be devised to facilitate this object."

THE BILL.

It is a singular circumstance and worthy of notice, that though there has been a general outcry against the bill, not a single writer has shown in what the bill, as an immigration bill, is wrong, or how a bill calculated to effect the object should be drawn. There have been hints of cheaper ways of "how not to do it," but none for accomplishing immigration by other methods. True, one leading journal, in opposing the bill, admitted that printing and agents in Europe were necessary, but declared that was all that should be done. The week after, the same

journal had an article showing that half the people passing through New York for California never arrived here, and forgetting what it had said the week before, declared that agents in the Atlantic ports and towns on the railroad route were all that was necessary. Another week elapsed and the same journal, still advocating immigration, proposed local agents in the several counties of the State to assist the immigrants on their arrival, and declared that alone was needed to fill the State with population. The three modes of working thus recommended, when used in conjunction, make up the scheme we have proposed in the bill which the same journal had denounced. Perhaps it had never been read.

Gentlemen, think of it; while attacking the bill as a whole, no one has shown how the work could be done any other way. It is too late for the majority of the press of California to step back and declare that they are opposed to immigration; opposed to its being promoted on a comprehensive scale; opposed to the expenditure of eighty thousand dollars on the work. It is too late for them to say that the work is unimportant or an unfit subject for legislation. To do this is to contradict themselves on matters of record—to draw back deliberate expressions of opinion which they have enunciated since September, in acres of *leading articles*. One journal has said within the past three weeks, "Immigration of farmers is the greatest need of California." And in the same paragraph recommended you to vote five thousand dollars—for what? To supply this "greatest need of this great State." Gentlemen, within the past three or four months the proprietors of California newspapers have spent in authorship, type-setting, press-work and paper, twice five thousand dollars, in arguing on the duty of the Legislature and arousing the public mind to the importance of this work.

But, let us see what the bill says: Section one provides for a Board of Management, composed of six ex officio members, taken from the Boards of various charitable associations of this State; one member nominated by the State Board of Agriculture, and two members by the Board of the Immigrant Union.

If you need precedents for this section, look at the management of the Labor Exchange, and examine the construction of the Board that controls Castle Garden, New York. But mark this, especially: all our Union asks of the Legislature is the power to nominate two members out of nine; and then, if the Governor does not approve the nominations, he cannot be compelled to appoint. Is there any grasping at power shown there?

Look at section two. If the Emigrant Union selects two men—one of whom, while not so unfit as to justify the Governor in refusing to nominate him, should not be a happy selection, the Governor can prevent the mistake being a lasting one by limiting the undesirable nominee's term of office to one year. What is there obnoxious to the public interest in that clause?

Section three is one of the clauses that has been severely criticised. It defines the duties of the Executive Committee, and provides for their compensation at the rate of three thousand dollars a year each. These gentlemen are expected to give their time and attention for two or three hours every day to the business, and the California precedents are in favor of paying them, even if they had only to give two hours on one day a week to public business.

The Harbor Commissioners are three in number, and are paid by the State three thousand dollars a year each. Shall the State pay a Harbor Commissioner for taking his time in the best business hours in one day,

and refuse to pay an Immigrant Commissioner, whose time will be taken in the best hours for business every day in the week.

Or, look at the Tide Land Commissioners. There are three of them, and they receive two thousand five hundred dollars a year, and it is said that sum is an inadequate compensation for the service rendered. During the taking of testimony on conflicting ownership the Board sat, for a time, every day; but, I am informed, the number of meetings since the formation of the Board averages about one a week.

It is clear, assuming that the Executive Committee of the Immigrant Board will have to work five times as many hours as the Commissioners of the other two Boards, there can be no sufficient reason for paying them less salary.

No one has anything to say derogatory to the Boards named, but the people of California are as deeply interested in immigration as in the work carried on by either. Neither of these can be said to be vital interests. The work of building the sea wall or selling the San Francisco tide lands might be temporarily suspended without the prosperity of California being materially affected. It is not so with immigration. Immigration, rightly conducted, means prosperity for every able-bodied man, and for every manufacturing, commercial and carrying interest in California. No immigration, or badly managed immigration, means the opposite of prosperity for all those interests, and perhaps hard times and anxiety and misfortune for thousands.

If the managers of immigration fail to select good agents for Europe, and to make good contracts with steamship and railroad companies, immigration will not come, and the money expended will be wasted. If the managers fail to make good appointments between New York and Omaha, of the emigrants who leave home for California, they will lose one-half between their landing in New York and crossing our State line. If the machinery in Europe works well, and the emigrants start at the rate of one thousand a week, and the intermediate agents exercise the necessary supervision over them in their transit, yet, if there is no proper accommodation for receiving them here and no organization for transferring them rapidly to their destination in the interior without much outlay, we shall have confusion from the first, followed by distress, and resulting in such a prejudice against California as will prevent us getting much population direct from Europe until the memory of our blunders is effaced by the lapse of years.

Again: for what good management will accomplish read Colonel Loomis' letter. This gentleman, who is a high authority on this kind of immigration, writes that his Board have been able, by good management, to save their emigrants from twenty-five to thirty dollars each adult, in transporting them from the interior of Germany. Such management as the bill contemplates would save the emigrant in transportation and in seeking out and obtaining a location of land, from fifty to one hundred and fifty dollars. The cost of that management, as provided in the bill, will be eighteen cents for each emigrant brought here. But after all, gentlemen, the question of management is secondary. The Legislature has the matter in its hands. Our only request is: give us a *good* management. Let the Board be formed of capable and zealous men, who will devote their time, judgment and energies to this business, and not treat their office as if it were an honorary sinecure.

Section four provides for a chief office, for rent, stationery and extra clerical assistance, three thousand dollars. This is just the sum which the State Harbor Commissioners expend on similar purposes. The

duties of these gentlemen are—managing the San Francisco wharves and building the sea wall. The State Board of Immigration would have an enormous business, extending over Europe and the Atlantic States, as well as every county in California; and the expense of postage and express dues, both foreign and home, on matter sent from the chief office would be a considerable sum. Even in the item of rent, the extent and variety of its business to be transacted, with the probability of one hundred to two hundred people a day having business with the officers, indicates the necessity of considerable outlay. Compare the sum available for rent, with what the Pacific Mail Steamship Company, or even the Central Pacific Railroad expend in San Francisco, on their offices for the sale of tickets, and what we ask will seem small and inadequate.

Section five provides that the Board shall appoint a Secretary at a salary not exceeding two thousand four hundred dollars. That is the sum the Secretary of the Board of State Harbor Commissioners receives, and he is allowed an Assistant Secretary at fifteen hundred dollars a year. The duties of these gentlemen almost entirely relate to matters belonging to San Francisco. The Tide Land Commissioners pay their Secretary two thousand dollars, and that gentleman is said to be the worst paid public officer in California. We ask two thousand four hundred dollars for the payment of a Secretary, who, besides keeping minutes of all proceedings, and a number of accounts, will have to correspond with twenty or more agents in the two hemispheres, with as many railroad and steamship companies, and to carry on this correspondence in several languages; besides the regular and official correspondence, there will be a casual correspondence, occupying nearly as much time as the regular.

Section six provides for a general agent for California at three thousand dollars. The general wharfinger of San Francisco receives two thousand four hundred dollars. The duty of the latter gentleman is to supervise ten wharfingers and ten collectors. Among other duties, our officer has to supervise the work of ten district agents in California. He is also to make himself acquainted with the quality and description of all lands open to pre-emption, etc., and with all opportunities for immigrants settling in the various occupations of life, throughout a State which has the largest area in the United States—Texas excepted. Besides this, he is required to see, if possible, every immigrant coming into the State, who desires, as nearly all will desire, advice, information and guidance. To fulfil these duties, if only twenty thousand immigrants arrived in a year, would require a man of great business qualifications, of remarkable industry, and accustomed to the rapid dispatch of affairs on hand. For such a man, doing such work, three thousand dollars a year is not an extravagant remuneration. It is hardly necessary to say that many men, tempted by the emolument, will apply for the position; but there are few men in the State who could discharge these duties satisfactorily, who are not already engaged, and in reception of a large remuneration. Yet, it is evident, that should the general agent fail, whether in knowledge of the State, in power of organization, in judgment, in tact or in patience, the effect would be the throwing of the whole machinery into confusion, by delaying the distribution of immigrants in their final settlement—thus causing the individuals loss, and destroying much of their usefulness to the State, by crippling their means of commencing in life, and impairing that moral elasticity and sanguine hope which every man needs to start well in a new country.

Section seven authorizes the expenditure of six thousand dollars

annually in California on the collection and dissemination of information; the making and printing of maps; on authorship and translations; on printing and advertising within the State. The collection of information on lands will include the making of maps and a series of diagrams or books showing the lands which have not passed into private ownership, and which are fit for settlement. This map shows that there were from twelve hundred to fifteen hundred townships surveyed in this State and not offered for sale or subject to purchase by private entry, up to the close of eighteen hundred and sixty-eight—that is about thirty-four millions of acres. The best estimate we have, excluding lands held by railroad companies, gives the total quantity of private lands in California at about thirteen million of acres, leaving about twenty millions of good, bad and indifferent, open to pre-emption and already surveyed. According to the official report of the Surveyor General of California, there were about four million five hundred thousand acres of land inclosed in eighteen hundred and sixty-eight and eighteen hundred and sixty-nine; two million three hundred and forty-three thousand acres cultivated; of which one million seven hundred and fifty-five thousand were sown with wheat and barley. It may be well to say here that the quantity of land in California, as estimated by United States Commissioner Wilson, which is fit for some purpose, is eighty million of acres. In other words, about one acre in eighteen of the useful lands are inclosed, and one acre in thirty-four actually cultivated. Before immigration officers would be ready to show all these surveyed lands to immigrants, it would be necessary to make diagrams of the several townships which contain public lands. Each diagram would not only show the thirty-six sections it contained, denoting those that were open to pre-emption, but also every forty-acre tract, that is, every sixteenth part of a section, or every five hundred and seventy-sixth part of a township. The land books of the Central Pacific Railroad Company, and of the several large land offices in San Francisco, will give the Legislature an idea of what we think should be done for the information of settlers.

The work will be done by copying the maps of the several United States Land Offices, and transcribing the field notes of the United States Surveyors.

The work is so enormous, that to complete it in one or two years even, to the extent of the survey as it had proceeded up to the end of eighteen hundred and sixty-eight, would cost several times six thousand dollars, and there are yet many counties that have never been sectionized, and which are now demanding for their own sake the forcing of this work on the attention of the United States authorities. If you establish a State Board of Immigration, it will be necessary that the foothill counties should be, at least, partially sectionized before we can confer upon them benefits we contemplate. Without such information as we propose to give, immigrants cannot find the lands which we know are open to them, without great loss of time and expense of travelling, as well as maintaining their families. At a moderate computation, it would cost every settler one hundred dollars in all expenses to obtain for himself the information which we propose to furnish him with free of cost, and immediately on his arrival, if the State will authorize this trivial expenditure. Of course, we cannot do much with six thousand dollars a year—one-third or one-half of which must go to defray other

expenses, but we believe enough can be done to meet the wants of the immigrants month by month.

In some of the Western States there have been made and published, at State expense, catalogues of their public lands, showing every forty-acre tract and the surveyor's note of its character. In their case it was often comparatively easy for immigrants to find lands without this assistance—in ours it is almost impossible. Our lands are so much scattered and so much mixed up with Spanish grants and large estates, or located in thousands of little valleys, that even old residents are at a loss to know where public lands of fair quality are to be had, and from this very difficulty has arisen the misapprehension that we have no such lands. The capitalists, by combined action and the employment at great expense of qualified men, have found such lands for themselves. We now propose to seek information on land matters for a less selfish end and offer all the advantages, which the great land buyers obtained by combination, to immigrants and actual settlers, free and without price, if the State will appropriate the means.

The other expenses to be met out of the six thousand dollars are authorship and translations, printing and advertising in this State. If these are paid for out of two thousand dollars, leaving four thousand dollars for the land business, it will be by the exercise of the strictest economy.

In the same clause is a provision for five thousand dollars for immigrant homes. The press has been divided on the subject. Some—and those were the papers that appeared to think that the printing in Germany and Great Britain of a few thousand pamphlets would bring us all the immigration we need—pressed upon us the necessity of providing homes for the immigrants. Others, again, found fault with us for proposing to introduce paupers for whom alms-houses would be necessary. The idea of providing homes for immigrants is not based on the supposition that they will be moneyless, but that, having from fifty dollars to one thousand dollars or more each, it will be necessary that they should be protected, while yet strangers, from imposition and fraud, and shown how and where they can live cheaply with their families while recruiting from the fatigue of their journey, and where the head of the family can leave his wife, children and baggage in safety during his absence in the interior selecting his future home. It will be for the State Board to decide whether it will adopt the Baltimore or the New York "Home" system. In case the latter is followed it will be seen, by the amount asked, that the bill contemplates nothing more than providing one or two barracks, divided, by partitions, into rooms where families can have privacy, however rough the accommodation, with conveniencies for cooking and washing. If all immigrants entered the State by one route, a single institution of this class would suffice; but as it is probable as many, or more, will come by sea as by land, two would be necessary. Say, one building in Alameda County where it can be easily be reached by the use of a steam tug, as in New York, taking the passengers direct from the deck of the ocean steamer; another at some point in the Sacramento Valley contiguous to a railroad station. The railroad passengers ought not to be carried to the vicinity of San Francisco, as that would be tempting them to do the very thing the bill is designed to prevent—increase the population of San Francisco, instead of building up the country. Any family of six or seven souls coming into San Francisco and staying at one of the third class hotels would not, under any circumstances, get away under an expense of from eighty to one

hundred dollars. In such "Homes" as we suggest, it need not cost a family for living more than fifteen dollars a week; and, if they confined themselves to absolute necessities, and lived as in many cases they had been compelled all their lives, their expenses would not exceed ten dollars a week. Sixty or eighty dollars saved to a family on their first arriving into the country might make all the difference between success and failure in their first year.

Section eight provides for a sub-officer, an assistant agent at Sacramento, to take charge of the railroad immigrants and transact the general business of the Union at that important and central point. This section has been criticised both ways. It has been said by one portion of the press that the allowance is too large, and by another that it is too small—an indication that in framing this clause we have hit the happy mean.

This section also provides for dividing the State into ten districts, and employing a competent district agent in each. The meaning of the provision is this: No man residing chiefly in San Francisco or any other central point can give immigrants that practical aid and instruction they so much need. A man desiring to settle on land in San Diego County, Los Angeles, Monterey, El Dorado, Tuolumne, Siskiyou, Colusa, Tehama, Humboldt, or elsewhere, will need the assistance of some person living in the vicinity in which he proposes to locate, to guide and direct him in the examination of the lands, of which the head office can only give him the general direction. Every week, nay, in some times of the year every day, there will be immigrants settling out in half a dozen directions. The general or assistant agent cannot leave their other duties and neglect the new arrivals to accompany them. This plan of employing district agents is exactly that adopted in Kansas and described in Colonel Loomis' letter. All their immigrants are located along and within twenty or thirty miles of the line of the railroad, and at every depot they have a land agent to discharge the very duties which we propose the district agents shall fulfil. Without such division of labor it would be impossible to clear off and distribute large bodies of immigrants—strangers to our country, ignorant of our land matters and foreigners in language—without confusion and delay. For this object we ask five thousand dollars a year, and propose to divide it among ten men at least. In those localities to which few immigrants go, the salary need not be so large as the average; most of the agents will have some other means of livelihood, and in other districts where there is much business, the salary may have to be more than one-tenth of the sum allowed.

Here we may stop to say, with propriety, that the accommodation of the immigrants in cheap quarters, the furnishing of the men seeking land with exact, not general and indefinite information, and the arrangements for their rapid distribution over the country, are fully as important—if the business is to be smoothly and successfully conducted—as the gathering of immigrants in other countries. The more thought our friends in the Legislature give to this branch of the subject, the more they will feel its value. The worth of the services which these district agents will render the new comers far outweighs their paltry cost. Consider, with an estimate of fifty thousand immigrants a year, it only comes to ten cents an immigrant. Without explanation, this low average may seem ridiculous. In practice, only one immigrant in twenty or thirty has any business with any single district agent, and when such agent has given a day to locating six, eight or ten heads of families, he

has been the means of finally disposing of fifty or sixty, perhaps one hundred persons—men, women, children and employés.

I am tempted here to point out the great value of the criticisms this bill has received, even from influential quarters. A week or two ago, since the other portions of this address was prepared, there appeared an editorial in the *San Francisco Evening Bulletin*, headed "Aid to Immigrants," eulogizing a letter from a correspondent at Los Angeles, who conceived he had discovered something new, and the *Bulletin* declares his suggestion to have the merit of novelty and to be worth looking into. This is what the *Bulletin* says :

"Much is said just now about the best means of attracting population. It will probably be found that the best means after all to draw people to our shores is to see that those who are already here are properly encouraged. Every contented, prosperous immigrant will advertise his good fortune in the East and induce one or more of his neighbors to join him. Those who do well very generally write home extolling the merits of the country, while those who fail are pretty sure to send back bad reports. We receive letters almost every day from new-comers, complaining that it is hard to get a start; that the best land is gobbled up by speculators, and that it costs a little fortune to buy a farm and stock it. These complaints are often exaggerated, but are made in good faith, by those who find a different condition of things from what they expected. They are strangers and do not know where to go to get what they are looking for; frequently go to the wrong source, are frightened at the prices asked, and become discouraged and disgusted.

"One of these new comers, writing from San Diego, proposes a plan for the consideration of legislators and others for aiding this class of people. It has at least the merit of novelty, and may be worth looking into. Our correspondent says :

"Give us a man in each county; give us a Government Real Estate Agency; an Immigrants' Information Office, or whatever you have a mind to call it, which can tell us where the Government lands are; which can tell us who owns this ten thousand acre grant, or that five hundred thousand acre one; which can tell us what lands are for sale, and what the owners will take per acre, and in what quantities and on what terms, etc.; which can tell us what are the clouds about the titles of such lands, etc.; in fact, to put all our wants in a nut-shell Place in each county a square, honest man (and assistants if necessary), who can give the immigrant all the information about the available lands free of charge, and the immigrant will do the lecturing free of charge and with much more force than all the fancy lecturers that California could raise. "A bird in the hand is worth two in the bush." Let the State Government look after the immigrants who come to California, and if the country is good, as I have no doubt it is, they, through their influence, will soon multiply ten-fold."

The writer's discovery of novelty in this suggestion reminds one of the man who found, to his surprise, that he had been talking prose all his life without knowing it. How the *Bulletin* recommended an important feature of the bill as if it had been overlooked by the framers, we do not understand.

Section nine provides for agents at New York, Baltimore and elsewhere on the railroad line, and at Aspinwall. We submit that the necessity of having these persons is shown by an article published in

the *Bulletin* since the bill was given to the world. Only three thousand nine hundred immigrants entered the port of New York last year who avowed their intention of coming to California, and the *Bulletin* says that less than half that small number reached the State. They were captured and diverted from their intention by the runners of rival States. We propose, by having our agents at all important points, to prevent this loss, and even to make a gain by carrying on the war against our rivals and inducing emigrants bound to their territory to change their route in our favor.

Four thousand two hundred dollars for six such agents, each of whom will, in his own neighborhood, be an active missionary for California, is not a large sum, and if the selection of men is judicious, the money will not be ill spent. If we reduce the loss of those who start out for California from fifty per cent. (the present rate) to twenty-five per cent., it will be a great work. We expect that these agents would gain as many emigrants from others as we should lose of our own. The duties of these men are sufficiently defined in the bill.

Section ten provides for the appointment of a chief agent for Great Britain and Ireland. This is one of the two most important offices provided in the bill. If this gentleman and his coadjutor on the main continent do their duty, the tide of immigrants will commence to flow at the rate we have estimated. Whether this tide continues to flow, will depend much on the accounts which the first comers may give of the management on this side. But on these men's shoulders rest the entire responsibility of success or failure in starting the whole machinery. They may be aptly compared to the boilers. If there is not sufficient steam generated, the best contrived engine will be comparatively useless. In any other position, if a mistake has been made in selecting the officer, the blunder will not be a fatal one and can easily be remedied. These men, thousands of miles away, will be comparatively irresponsible, and at least half a year might be wasted before a failure could be detected, the incompetent man recalled, and his successor inducted in his place. Meantime, all the other expenses would be running on without the State reaping the full advantage expected from them. In the making of contracts with printing firms, and with railroad and steamship companies, these men would have opportunities of robbing California, or the emigrants, or both, to a large amount, if they were so inclined. The provision for the forfeiture of the whole amount of their bonds, ten thousand dollars, as a penalty for the slightest departure from integrity, is all the law can do to enforce honesty; but when all is done, the State has only the honor of its representative to rely upon. We point out this danger, not to discourage the friends of emigration, but as an argument in favor of unusual care and discrimination in making the appointments.

When Howard, the great English plough maker, returned to his own country from a tour through the Atlantic States, he addressed the London Farmers' Club, and told his audience that he had made an important discovery—"England could not afford to send a fool to America." California could no more afford to send a fool to Europe on such an errand as immigration, than she can afford to send a fool to Congress. At Washington, the folly of one man might be corrected by the superior qualifications of his colleagues. In the selection of these two agents, the result of folly will be costly and lasting.

The Australians, the colony of Victoria, a country in many of its conditions more similar to our State than any other British colony, and

some think more similar to us in its most marked features than any State in the Union, chose for their chief British agent, Mr. Verdon, a prominent member of the late Government, and one of the ablest men in the country. These colonists pay him ten thousand dollars a year for his services, and Australian papers say that such has been his success, that seven hundred and fifty people a day have made inquiries at his chief office in London regarding Victoria (Melbourne) as a field for emigrants. The Australian appropriation, or rather the appropriation by a single Australian colony, is one million five hundred thousand dollars, or six times as much as we ask, including the special aid clause.

There is no man in California too great for such a position, and the difficulty the State Board will have, will be to obtain a man good enough for the place for the sum named.

Provision is made for the chief agent's expenses at the rate of four thousand dollars a year, and five hundred dollars extra for the first year. Passage to Europe, office fixtures, etc., etc., will absorb that additional sum and more.

Four thousand dollars a year is little less than eleven dollars a day, or two pounds four shillings. Out of this he must pay travelling expenses, stationery, postage (a large item), advertising his movements, hire of lecture halls, cleaning, lighting and doorkeeper, and a hundred other expenses—some trivial, but all necessary.

To defray these expenses he has less than eighteen shillings a day more than a commercial man—a drummer—travelling for a first-class wholesale house in the dry goods trade, is ordinarily allowed. The latter has his postage stamps and stationery found him, and has no lecture halls to hire, no advertising to do, no such expenses to defray as the chief agents in Europe must incur, if they make an energetic canvass of the people they are accredited to. If they fail to accomplish the result our citizens will expect from their labors, these men will be disgraced for life in California.

The chief agent for the European continent may find some of these items less costly than the British agent will; but he must take occasionally some long and expensive journeys in travelling from one end of Europe to the other, in visiting the minor agents.

Those who have denounced the appropriation of four thousand dollars for expenses, must have contemplated the agent sitting down in his office in London and waiting for the emigrant to drop in. Even if he set himself energetically to work upon the citizens of London, he might, in these eight or ten towns which, clustered together, pass under a common name, find an honest way of spending the money. But it is not people from London, or any other large town, that California wants. The class he will be expected to send do not visit London once a year, most of whom never saw the great city and never will. It is in the agricultural counties, at the fairs and cattle markets, where farmers congregate, that he must seek the class we need.

Clerks, shopkeepers and idle young men might be had in great numbers; but one horny-fisted farmer, with his bustling wife, learned in cheese, butter and poultry, with sons who can plough, and daughters not too proud to milk, would be worth to California a hundred such.

Section eleven is similar to section ten, and provides for the appointment of a chief agent for the European continent.

Section twelve provides for bonds being given by the Executive Committee and other officers.

Section thirteen provides for the expenditure of ten thousand dollars

in printing and distributing pamphlets in Great Britain and Ireland. To reach thirty-two millions of people with a single pamphlet, say a general description of the resources of California, one million copies would not be a very excessive supply. Besides the general pamphlet, the Board would probably desire to issue a smaller one, on the mode of obtaining public lands, on the Homestead Law and exemptions; this latter subject would be particularly interesting to people with families, who have learned by experience that a reverse of fortune might cause them to be turned out of house and home, and even the bed sold from under a sick wife or child, by a harsh creditor. Another pamphlet would be required on farming—giving the cost of building a small house, of fencing, of implements, wagons, working and neat cattle—the modes and cost of ploughing by single and gang ploughs and cultivators—the season for sowing, the various methods of harvesting, the cost of thrashing and sacking, and the average prices at leading shipping points—so that practical men could see beforehand what their prospects would be, what they had to do, and what profit they might expect with wheat at a given price in Europe. The Board would also desire to have another pamphlet on textile manufactures—one on leather manufactures—one on manufactures in metal—one on silk-growing and manufacturing—one on mining for precious and base metals and coal. Each of these would be of use in different districts, and for different classes, and should be printed in quantities of from five thousand to fifty thousand each.

To show what could be done in this way, it may be pointed out that the whole sum allowed for printing and distribution would pay for printing an edition of four hundred and eighty thousand copies of one pamphlet of sixty-four pages, at the rate of one penny each. It will only be by cutting and carving, and weighing the propriety of the expenditure of every dollar, and taking care that every publication he distributes is placed in hands where it has a fair chance of usefulness, that an intelligent agent will find the money allowed sufficient for the object. The chief agent on the continent of Europe would find the same difficulty in making the money allowed for this purpose (printing in the German language) do the work intended, though he might have the advantage of slightly lower prices than his British colleague. In German, all the above pamphlets would be required, and a vine-growing and a wine-making pamphlet besides.

There is in this clause, also, a proviso for fifteen thousand dollars for Union agencies in Europe, and printing in other languages than German. How the State Board should divide the money we do not undertake to say, but if, for the sake of argument, we suppose they employed five agents at one thousand dollars each, and allowed two thousand dollars each for printing in Danish, Dutch, French, Italian and other languages, it would not give excessive amounts for the purpose. It is evident that for Europe there would have to be a variety of pamphlets, as well as in Great Britain. In the French and Italian languages, for instance, the silk and the wine pamphlet should be used, as well as the general one.

Section fourteen provides for the expenditure of five thousand dollars a year in lectures and other means of inducing emigration from the Atlantic States and California. The California newspapers can do good service in this field, and their usefulness can be increased by taking measures for having the best of our weeklies furnished to reading-rooms and farmers' clubs, and other places in which the classes we

propose to invite can be reached. A special pamphlet on lumber and manufactures in wood, for distribution in Canada and Maine, would be a good way of spending one thousand dollars of this sum.

The allowance of ten thousand dollars for contingencies explains itself; the clause prohibits the expenditure of more money in salaries than the law provides.

Section fifteen authorizes contracts being made with steamship and railroad companies on behalf of emigrants. Those critics who have said that the bill provided many salaries and some printing, but nothing for the immigrant, overlooked some clauses which do far more for the immigrant than if all the money asked to be furnished were given in cash to the men themselves. If Colonel Loomis' statement, that the Board he presides over has been able to save the emigrant twenty-five to thirty dollars between the interior of Germany and Kansas, were not sufficient, we could furnish other authorities.

Section sixteen is the special aid clause, and contemplates the expenditure of more than two-thirds of all the money the State would have to expend if the bill passed into law in its present shape. When examined, whether adopted or not, we believe it will be admitted to be one of the best clauses in the bill. All the other money goes to procuring and helping immigrants, not by giving them cash, but facilities that will save them outlays, and in offering them services free that they could not buy for twenty times the sum it will cost the State to give them. Under this clause we do not propose that the money of California shall be spent in charity among the poor of Europe. However hard their lot, we cannot aid them in free passages. To do so would be to inflict a deadly injury on the working men of this country, and the advantage that one interest in California would gain by the increase of laborers would be outweighed by the loss of the other interest, in the excessive reduction of wages.

This clause acts as a corrective to the introduction of too much labor, by offering extra inducements to farming capitalists who would necessarily be employers. The persons that this clause is intended to bring are those we most want. If they come, all others that we desire will come also. Manufacturers will come—labor will come. It is well known how close-fisted the farmers of the old country are; how slow to spend money on anything that cannot be turned into money again. These people will hesitate long over the high rates of passage to California. In argument they will admit all the advantages they are told of; they will confess the superiority of California to any State or Colony, but they may close their purses after all, and go to some place which can be reached at less expense. This clause will help the agent for California to bridge over that difficulty.

The following explanation of this clause appeared in the *Alta*, before the printing of the bill, under the heading "The class we must bid for:"

"EDITORS ALTA: It is understood that the bill prepared by the Union contains a clause offering State aid to a certain class of immigrants; that is, agriculturists, with families and some capital. The idea is not to give aid to needy persons, but to bid for the most desirable class of population any country can have—men who possess the means of employing their own labor; who themselves and their children will work with their own hands for their own profit. These are the class who in Saxon times were called the Franklins and in later days are styled the yeomanry of England. Under other names, the same class

are to be found in Germany and in every other European country. It has been said, why not let your charity begin at home? In the first place, it is not charity but business that the California Immigrant Union contemplates. It is proposed that the State shall bid for a new population; a population that not only will increase our numbers but increase our circulating capital and our taxable property. The idea is not to help European paupers in place of assisting our own broken down miners, but to offer a bonus for a class who can not only help themselves but maintain others, from day of their entry on the land they select. The Legislature will be asked not to pay the passage money of the impecunious hordes of Europeans who never had the skill to earn or the prudence to save enough to pay their fare to this country, but to give a small inducement to tempt those whom we most need to come amongst us. What is proposed is a bait—a bait to attract fish who, being caught, will decoy all other fish we need into our nets. If we bring inhabitants from the older States, they may grow dissatisfied and return to their former homes. If we bring single men or women from Europe, their brothers or sisters may follow; but there the matter will end. If we bring families from the towns, other townsfolk will come with them, or follow after them; but we have enough townspeople, except manufacturing people, already. If we bring farmers, we shall get their ploughmen, their hedgers, ditchers, shepherds, herdsmen, wheelwrights, and blacksmiths, also. Every man living on the profits of agriculture in Europe knows he can do better here than there, if the farmer can live here. Every tradesman in the village knows he can live where his friend from the country can live. By aiming at the agricultural population we hit the townspeople more certainly than if we aimed at them directly. There is little or no magnetic power in a family taken out of a city and transported to California. A farmer is not affected by that; he does not consider it any proof that he could improve his condition by following in the footsteps of his city friend. But when a farmer transports himself from the old East to the new West he becomes a loadstone, and his acquaintances are moved to follow in his wake. Much depends on which end of the chain we pull at. If we pull at the city population, we get only city people; if we drag out the farming population, we get all classes. There is another view of this matter, taken from the aspect of affairs on this side. We may put one hundred thousand people into San Francisco, and after the immediate effect of the introduction of so much capital and so many consumers is gone, there is nothing left. Add the same number of persons to our farming population, and the effect upon our general business, internal navigation and commerce will be permanent.”

Something has been said about the capital required as the preliminary condition for this aid being granted being too much. On the other hand, we would rather see it doubled; and if there is any doubt in the mind of the Legislature whether the State will obtain a *quid pro quo*—a full compensation for its outlay—that doubt would be removed by making the condition the possession of two thousand dollars; for the reason that the gross capital obtained by the country from this class of immigrants would be greater, and consequently the ability of the new comer to employ labor and their liability to immediate taxation very much increased.

Section seventeen is devoted to reports and such matter.

Section eighteen is devoted to matters of routine, and also provides for a thorough audit of the affairs of the Board each half year, by a committee drawn from the honorary members of the Board.

Section nineteen provides for a special tax of four cents on each one hundred dollars of assessed property. By asking four cents taxation, instead of the total of the sums allowed by the bill to be expended, we cut down our own demand twenty-five thousand dollars, and leave a large margin to be filled up by private subscription.

Section twenty appropriates the tide land money to the Special Aid Fund. If the tide land money cannot be obtained, and the Legislature does not choose to make an appropriation which would be equal to eight cents further taxation, clauses sixteen and twenty can be dropped from the bill, and the other sections not being affected by the elision, the bill would comprehend a complete scheme of immigration. But, before a decision which would cut these clauses out of the bill is arrived at, allow us to remind you: First, that the State Board will not control the spending of this money; it will pass direct from the Treasurer to the person you intend it to benefit. Second, that we do not, in making this recommendation, need to plead the adage, "Nothing venture, nothing win;" it cannot be said of this portion of the expenditure that the outlay will be a fact and the gain a speculation. If no such farmers come, the State pays nothing. If one thousand only come, the State pays for one thousand and no more. If all the two hundred thousand dollars is paid out, California will, before the payment is made, have obtained a body of farmers, besides other immigrants, and an amount of capital which must make times in California prosperous—prosperous beyond all present hopes—for many years to come, and future taxation for all a far lighter burden than we now labor under.

COST OF PROCURING IMMIGRANTS.

The Hon. Robert Watt, State Controller, estimates that four cents taxation on the assessed value of property in this State will produce eighty thousand dollars for working the general machinery contemplated by the bill. With this sum the Trustee of the Union estimate that fifty thousand immigrants can be brought into the country, with an average capital of one hundred dollars each, or five million dollars of money in the aggregate. But, for the sake of argument, we will say that only thirty thousand people and three millions of dollars could be had for that outlay. The State expenditure on these people would be at the rate of two dollars and sixty-six cents per head, and the premium paid for the introduction of the three million dollars, allowing nothing for the people, would be two dollars and sixty-six cents per one hundred dollars cash, introduced into the State to the increase of our permanent capital. If, instead of this money being brought into California in immigrants' pockets, it came to us through a bank as foreign capital or loan, it would cost us at least ten per cent. per annum, and the principal would always be owing and liable to recall. In the former case, the total outgoing would be one-fourth that rate and have to be paid but once, and the principal is ours forever. In short, on the estimate of the Trustees of the Union, the State would acquire the free use of the money in perpetuity by paying the equivalent of three months' interest, computed at the lowest rate known in financial circles.

But the money in the pockets of the immigrants is but a small part of

what they bring us. Thirty thousand immigrants would each have with them, on the average, say fifty dollars' worth of personal property, or a total of one million five hundred thousand dollars' worth of goods, which is equal to the importation of that much merchandise, as a free gift from European manufacturers. Estimating that twenty thousand out of the thirty thousand would be able bodied adults, their value to the State, at the reduced computation of one thousand dollars each, which is less than the estimate made by the *Bulletin*, would be twenty million dollars. Thus, allowing nothing for half grown boys and girls, we have :

Value of the adult immigration.....	\$20,000,000
Value of their personal property.....	1,500,000
Cash in their pockets.....	3,000,000
Total.....	\$24,500,000

The much abused bill, then, proposes to enrich the State beyond all doubt, risk and denial, by presenting California with the enormous sum of twenty-four million five hundred thousand dollars for the trifling percentage of thirty-two and a-half cents per one hundred dollars value received.

If, however, contrary to the opinions of all political economists and our leading journals, we refuse to acknowledge that a white man's life-long services are worth anything to the State—though Koopmanschap asked the Southern planters one hundred and twenty-five dollars per head, paid on delivery, for impecunious Chinamen—and take only the money and goods of the thirty thousand immigrants into consideration, we offer four million five hundred thousand dollars for the petty consideration of the payment of one and three-quarters of one per cent. of that great sum. Yet this is the terrible proposition that has raised the ire of a few newspaper writers. As a business proposition it cannot be gained.

Perhaps it may be urged that we ought to get this great wealth without paying even this small percentage. Past experience shows we cannot. We are to-day, and have been for nearly ten years, making less advance in population and in wealth than any State in this great Union. We know that emigration is popular in the countries in which we propose to seek population ; but if there are, as Colonel Loomis says, twenty million of people in Europe, who look upon emigration to the United States or the colonies as a probable contingency, and ten million who are ready to start whenever they are invited and their way is made clear, there is also much competition. Every State in the Union and thirty British colonies are seeking recruits in the same field.

COMPARED WITH LIFE INSURANCE.

There is nothing more popular in this country than life insurance, and judging by the number of companies—thirty-one in New York State and thirty in other parts of the country—there is no business more profitable. It is an American specialty. These companies necessarily spend large sums in management, agencies, soliciting and advertising. One company spends one million six hundred and ten thousand two hundred and

two dollars annually in managing its affairs and seeking new business. We are told that California will get immigration without agents, soliciting and advertising. We say she will not, and point out that she has not. Suppose a new life insurance company were to open an office and some economical director were to move that the Board, instead of wasting the capital of its subscribers in salaries of agents and printing bills, should wait for business to come in voluntarily, and ask his colleagues to rely on the general reputation of the company for wealth to bring applicants. In these times of competition the older companies that do advertise and do employ agents would get all the business, and our supposed company might as well close its doors and return its capital to its subscribers. It is just so with California. To get business—companies must spend. To get population, States—especially States distant from Europe—must appropriate money for immigration. Why, gentlemen, one company on this coast has spent one hundred and twenty-five thousand dollars in five years, in advertising alone—that is, its yearly expenditure has been within five thousand of what we ask the State of California to spend in printing in all Europe. We want to advertise California among one hundred and twenty millions of people. That company has spent, with extraordinary profitable results, five-sixths of the sum in advertising among one million of people on this coast. The company alluded to spends fourteen dollars and fifty-nine cents per one hundred dollars of its receipts from premiums, and has succeeded far beyond any other financial company in the world. Its annual expenditure, divided among all its policies, new and old, was twenty-six dollars and forty-five cents each. Levied on the new policies only, it was eighty-five dollars and twenty cents a policy. Compare this with the Immigrant Union's proposal—to guard in transportation and distribute in this country immigrants at two dollars and sixty-six cents per head. The highest insurance authorities have approved the enormous expenditure I have referred to. Thus it appears, therefore, that while an insurance company is justified in spending twenty-six dollars a year to obtain an assurer and keep his policy alive, there are people who would forbid the State of California spending, for once and for all, one-tenth of the sum to obtain an inhabitant for California who will be a producer and a taxpayer from his arrival to his death. Every male adult we bring in, and every boy that grows up to manhood among us will pay to the State for the remainder of his life, in annual poll-tax, should that form of taxation be continued so long, nearly as much money as we ask for bringing him here.

ANOTHER VIEW OF THE CASE.

The whole bill, including the special aid clauses sixteen and twenty, contemplates an expenditure by the State of two hundred and eighty thousand dollars. We estimate with this sum that we could guarantee the State fifty thousand people and ten million dollars cash yearly. The greatness of the estimate the money is based on is the fact that the peculiar inducement held out to men with means to come would improve the quality of the immigrants so much as to double the average of the cash in their pockets. That is, they would bring two hundred each. It is a simple calculation, that if two hundred and eighty thousand dollars will bring fifty thousand persons, the cost for all purposes chargeable against each will be only five dollars and sixty cents. A very reasonable price for a State to pay for first-class immigrants, when insurance companies

pay twenty-six dollars annually to obtain and retain their policy holders. The personal property would also be doubled in value if the immigrants, owning it, were generally of a wealthier class. But even restricting that to the New York estimate of fifty dollars of property each, we have:

Cash in the immigrants' pockets.....	\$10,000,000
Personal baggage.....	2,500,000
Value of 30,000 able-bodied men and women, allowing for 20,000 minors.....	30,000,000
Grand total.....	\$42,500,000

This extraordinary addition to our pecuniary and creative resources would be gained for the trifling outlay of sixty-five cents per one hundred dollars of value received, not allowing one dollar for the presence of twenty thousand half-grown boys and girls added to our rising generation. Is it necessary to say any more to prove that as a matter of business the outlay of eighty thousand dollars for thirty thousand people and three million dollars in cash, or the larger outlay of two hundred and eighty thousand dollars for fifty thousand people, and ten million dollars in cash, is a reasonable method of spending the funds of the State.

I cannot do better than quote on this subject one of the best authorities on commerce and finance in the State, Charles D. Carter:

"As a business proposition, probably the offer of an accession of fifty thousand people and ten million dollars capital a year, at a cost of two hundred and fifty or three hundred thousand dollars should be accepted. Whose interest is it to oppose it? Not the small property owner—it gives permanent value to his homestead. Not the tradesman, retail or wholesale—it enlarges the number of his customers. Not the mechanic, for it revives the demand for his labor, while cheapening the cost of the articles he consumes. Not the taxpayer, for he will get five dollars relief in future taxation for fifty cents paid to establish a State Immigration Bureau."

OUR ESTIMATES.

We may be asked why we say fifty thousand people could be obtained yearly for California. First of all let us state that two or three members of our Board, calculating from different data and experience and knowledge of the gains made by several States and Colonies, arrived at the same result as a moderate estimate for California if we had a good immigration law. The soundness of that estimate is verified by the letter of Colonel Loomis, based on his experience of the work in Kansas—telling us that with proper exertion we can obtain one hundred thousand people in two years for California. The experience of the Western States and of the British Colonies, shows it to be a reasonable estimate. Illinois gained eight hundred thousand people in ten years by the advertising of her resources. Other States have gained fifty thousand people a year by such means. In the *Morning Call* of January eighth there is an extract from a Texas paper stating that six hundred

people a week were arriving at one port, Galveston, nearly all from Europe. Surely the advantages of California are equal to those of Texas—only they are not equally known. Look at what Queensland did in Great Britain. Look at what the Colony of Victoria—I mean Australia, not the little Island of Vancouver—has done and is doing to-day. She is doing more without the attraction of placer mining than she ever did with it. Of my own knowledge of England I affirm that there will be no more difficulty in getting people to set out for the Pacific States than to an Australian or South African Colony, if the same means are used; and far less difficulty than in inducing them to go to Canada or any province in the Dominion.

We divide the number we have given as our total estimate, thus :

Atlantic States and Canada.....	5,000
Great Britain and Ireland.....	20,000
Germany	20,000
Each of the lesser agencies in Europe, one thousand.....	5,000
Total	50,000

The probability is that if the accounts from this side reported general satisfaction among the new arrivals, every agent would be able to exceed the estimate given for his particular field. Of course it must be understood that this is over and above the small but regular immigration we are now receiving. From Europe direct that does not much exceed two thousand souls a year.

THE WEIGHT OF TAXATION.

Without raising the question here, whether there might not be some method found of relieving the taxpayer from some of the burdens now imposed through our over anxiety to liquidate our debt in the shortest possible time, let us see what the actual burden upon the small property owner would be if the Legislature should appropriate the money asked for immigration.

The four-cent tax would take eight cents a year from the man who is assessed at two hundred dollars. Surely that additional burden would not hurt the poorest working man in California; especially if it would return life to our drooping trade and procure him employment on one day that he would have otherwise wasted in idleness. If for all purposes, special aid included, twelve cents is necessary (and if the tide land money cannot be obtained, that is all we should ask), the man owning a horse and job wagon, assessed at two hundred dollars, would be called on to pay twenty-four cents, and the first time an immigrant employed him to haul his trunks from railroad or boat to hotel or boarding house, he would receive for the job three times the sum he had paid in taxes for inducing that immigrant to come.

But it may be said small real estate holders will feel the burden heavily. How? Will any property owner, assessed at one thousand dollars—and the house and land so assessed has a market value of from fifteen hundred to three thousand dollars—will any such property owner exclaim against the Legislature that asks of him forty cents a year, or even one

dollar and twenty cents a year on that property, especially if that paltry payment will add ten per cent. to the value of his homestead, or even prevent its value declining ten per cent.?

In those overtaxed and half depopulated districts formerly the seat of placer mining, there are many men holding on to property—all they have saved, perhaps, of thousands of dollars which passed through their hands in the lively days that have gone by—who can barely raise the money to pay their present taxes.

This is where the shoe will pinch. We have to say to the people of Tuolumne, Calaveras, Amador, El Dorado and Placer: Gentlemen, if we add a few cents to your State taxation and, by doubling your populations and enlarging the totals of your assessment rolls, divide your county burdens by one-half, will you not pay those few cents cheerfully?

The man who is paying three or four dollars per hundred dollars to his county will not grumble at paying the State four cents or twelve cents extra, if he will have to pay for his county expenses one, two or three dollars less.

CONCLUSION.

Gentlemen: We know that we put our hands to this work without any thought of benefiting ourselves, except by sharing in the general prosperity that must accrue to California if the State undertakes this task. We do not ask you to believe our words, but to judge us by our deeds. Here is a bill which, if you should pass it in its present form, would place the nominees of the Union in a minority of two to seven in the Board. Had we desired to control this matter for selfish ends, should we have so framed the bill? Again: instead of asking a lump sum, as many advised us, we have been open and explicit as to the uses we thought the State funds should be expended on. We have been told in many quarters "this is impolitic." We have replied, "it is honest." We have paid the members of the Legislature the compliment of laying before them a business affair in a business manner.

If, instead of passing the whole measure, you determine, in your wisdom and your desire for economy, to cut down its proportions, we shall have the satisfaction of having aroused the attention of the Executive and the Legislature to the most important material question that has been mooted in California since the inception of the Pacific Railroad. We shall have procured the commencement, on however small or inadequate a scale that commencement may be, of a work that will mark a new era in the history of the State. If, however, we fail entirely, and nothing is done in this session, we shall still have the satisfaction of having sown the seed which must grow in the minds of the people and in a future Legislature bear its fruit. In the interval between your final adjournment and the meeting of your successors in this building, it is more than probable that California will find herself face to face with hard times—perhaps the hardest times our State has known for many years. Then we shall have the melancholy gratification of hearing on all sides regrets that some such measure as we have proposed had not become a law. If, however, you should grant our prayer and enact a good immigration law, yourselves and the humble individuals who have promoted this matter will have their reward in seeing California rapidly rise in population from the twentieth rank among her sister States to a position more in accordance with her area and her natural wealth.

ALEXANDER D. BELL.

REMONSTRANCE

OF

Property-Owners in San Francisco,

AGAINST CERTAIN

STREET CONTRACT BILLS.

D. W. GELWICKS.....STATE PRINTER.

PROPERTY HOLDERS' REMONSTRANCE.

To the Honorable the Senate and Assembly of the State of California :

The undersigned, committee of property holders of the City of San Francisco, do respectfully remonstrate and protest against the passage of a bill introduced in the Assembly by Mr. Naphtaly (by request), to ratify and confirm all orders and ordinances of the Board of Supervisors in reference to street improvements, and all assessments of the Superintendent of Streets.

And also remonstrate and protest against the bill introduced by Mr. Michael Hayes in the Assembly, to amend the Consolidation Act as to street work.

And we respectfully beg your attention to the following reasons in support of this remonstrance.

And, first, as to the bill of Mr. Naphtaly :

After years of long suffering on the part of owners of real estate, during which they have been fleeced to the last extent of endurance by fraudulent and enforced street contracts, the little that remained to them of protective regulations is now attempted to be swept away by a bill to ratify and confirm all the illegal acts of the Supervisors and Street Commissioners. We say "illegal," because, if they were otherwise, they would require no ratification. So that it is not enough to subject them to the hardships of a system which has no equal, in its injustice and partiality, in the history of any civilized country ; but it is now required to double their burdens by imposing on them the performance of contracts which they had no hand in making, and which has not even been made for them by an iniquitous law. It seems absurd to ask an honest legislator to confirm all orders of the Board of Supervisors, and all entries in the books of the Superintendent of Streets, because—

I. He does not and cannot know how many illegal, unjust or iniquitous orders or entries would be included in such confirmation.

II. He does not know that it is *alleged* that there are scores of such, and that the Courts should be left free to determine them.

First—In the past, legislation seems to have been directed only against the property owner.

1. These street matters are the only resolutions or orders where the Mayor's veto is not allowed to interpose. Thus the property owner has been left largely to the mercy of schemers. Should the Board be appealed to, the property owner is not allowed, by certiorari or otherwise, to have the decision of the Board reviewed by any Court, but section twelve, article four, makes the decision of the Board "final and conclusive."

2. Should the property owner be delinquent, he is charged one per cent. per month interest (article four, section two), when no other creditor, save the street contractor or his Shylock assignee, gets more than seven per cent. per annum as his legal rate (article four, section two).

3. All presumptions are given to the contractor. The statute makes the assessment and warrant—in other words, the *ipse dixit* of the Superintendent of Streets—*prima facie* evidence of contractor's right to recover, and the property owner is compelled to prove the negative, that he or his property *does not owe*. If suit be brought, a contractor who recovers is allowed fifteen dollars attorney's fee (Consolidation Act, article four, section thirteen, as amended by statute sixty-seven, sixty-eight, page three hundred and sixty-three), while the property owner who succeeds is not allowed such fee.

Second—By this ratification of all acts of the Board and of the Superintendent, the grossest injustice would be done.

As a specimen of injustice, see *Himmelman vs. Steiner* (No. 1.525, Cal. Sup. Ct., Oct. term, 1868), where, for a valid consideration, the contractor consented, in writing, to take seventeen cents gold per cubic yard, in lieu of thirty cents, yet the Superintendent gave him an assessment and warrant for thirty cents.

When the Board was appealed to, it was its custom almost invariably, on motion of Chairman of Street Committee, to confirm the assessments and dismiss the appeal, no matter what might be the objection. The property owners, knowing this, refrained from engaging in the farce of appeal; but the Supreme Court held that appeal to the Board was, as to most objections, their only remedy, and in the case, put the parties were obliged to pay at the rate of *thirty* cents. (The Board of Supervisors is a tribunal before which it is impossible to compel the attendance of witnesses.) Thus property owners are driven to rely upon what legal defences may be left them, and to deprive them of these is simply to determine that they have, and shall have, no rights which contractors are bound to respect.

Third—The contractor, knowing that he claims through the law, and that by that law his claim must be judged, takes contracts at a double price. He chooses to take the hazard. To allow him now to recover, whether right or wrong, is in effect to give him twice as much as he bargained for.

Fourth—Property has often in the last year changed hands, after a legal opinion has been given that there was no lien by means of some illegal contract or assessment. Is the *bona fide* purchaser to be now saddled with a charge by this retro-active statute?

Fifth—To remedy defects in assessments formerly made, the Superintendent has made many new assessments. This Act purports to ratify and confirm *all* assessments, and would subject some property to *double* assessment.

Sixth—Article four, section thirty-seven, of the Constitution, upon which rests the power of assessment, contemplates the exercise of a "*restricted*," not an unlimited, power of assessment.

Where the mode in which power can be exercised is prescribed by charter, "the mode is the measure of the power." (*Zottman vs. San Francisco*, 20 Cal. R., 102, 105). The Constitution never designed leaving the property owner liable to the arbitrary assessment of any officer. It never intended that all rules should be violated or disregarded, and then, though *legislative aid subsequently had*, that property owners should be victimized.

Finally—The power of the Board and Superintendent is already a tremendous one. Under it, the entire lot may be taken to pay for some pretended street improvement. (Creighton vs. Manson, 27 C. R., 614; Taylor vs. Palmer, 31 C. R., 240.)

It is only reasonable that property owners should insist upon the observance of some rule. As remarked by our now Governor, in his brief in Zottman vs. San Francisco (20 C. R., 98): "The alacrity with which private individuals thrust these 'considerations' and 'benefits' through unfaithful officers, and the pertinacity with which they besiege Courts to regard their alleged equities, have led to most of the difficulties in which this subject is involved. On one side of the question is occasional individual loss, and on the other the establishment of a rule of vast benefit to the public, and one absolutely essential to prevent speculation and plunder."

See, too, opinion of Court (p. 104-5), as to contractor being bound to see that charter is complied with

Now, also, in reference to the bill of Mr. Hayes, hereinbefore mentioned, we have to remark in support of our remonstrance—

First—It closes the doors of the Courts to the property owner, and compels him to appeal to the Board, which is no part of the Judiciary, and makes its decision final and conclusive.

Second—It makes the Board judge in its own case. No matter how it may violate law, or what power it may usurp touching street improvements, its decisions as to the validity of those usurpations is made final and conclusive. The Parliament of Great Britain, with its omnipotence, could not make such a law.

Third—It violates article four, section thirty-seven of the Constitution, which calls for the exercise of a "*restricted*" power of assessment, and it gives the Board unlimited and arbitrary power, to be exercised, perhaps, by a "Ring." The bill should be entitled "An Act to confiscate all property in San Francisco for the benefit of street contractors."

We earnestly call your attention to the principal features of these bad measures, and urge upon you to protect us against what must prove a system of jobbery in favor of a particular class, and of disastrous legislation against all others.

DAVID D. COLTON,
CHAS. M. HITCHCOCK,
S. CLINTON HASTINGS,
THOS. P. MADDEN,
WM. DOOLAN,
C. REIS,
GUS. REIS,
CHARLES C. BUTLER,
HORATIO S. GATES,
D. WM. DOUTHITT,
M. R. ROBERTS,
A. W. VON SCHMIDT,
ISAAC E. DAVIS,
S. F. BUTTERWORTH,
S. HEYDENFELDT,
R. M. SHERMAN,

By his Attorney, W. Sherman.
WM. SHERMAN,
THOMAS B. HOWARD.

PETITIONS AND AFFIDAVITS

PRESENTED TO THE

SENATE OF CALIFORNIA

AT ITS

EIGHTEENTH SESSION.

D. W. GELWICKS.....STATE PRINTER.

PETITIONS.

To the Legislature of the State of California :

The undersigned, Trustees of the California State Library, respectfully recommend to your honorable body the passage of Senate Bill No. 443—An Act to authorize the State Librarian to purchase of Sumner Whitney certain volumes of the California Reports.

The volumes therein named are out of print, and are very scarce, and it is desirable the same should be procured. The price mentioned in the bill is exceedingly moderate, and without aid from the State it will be impossible for the publishers to proceed in their laudable undertaking.

JO HAMILTON,
J. R. McCONNELL,
J. W. ARMSTRONG,
J. W. COFFROTH,
Trustees of the State Library.

I am of opinion that it is desirable for the Library to have the volumes mentioned in said bill.

H. L. NICHOLS,
Secretary of State.

The undersigned respectfully petition the Legislature of the State of California that the Geological Survey may be continued under its present head, and completed, as being, in their opinion, a work demanded for the development of the material interests of the State, as well as by the cause of education and science.

Signed by

H. T. GRAVES,
W. H. L. BARNES,
And one hundred and ninety-eight others.

To the Senate and Assembly of the State of California :

The subscribers, teachers of San Francisco, feeling a deep interest in the State Geological Survey, respectfully petition for its completion under its present head.

Without forgetting the magnitude of the industrial interests directly involved in the completion of this survey, we, as teachers, desire to present for your consideration the fact that, until such completion, several important branches of science cannot be successfully taught in our schools for lack of proper instrumentalities.

So long as the chief occupation of man must be upon materials furnished by nature, so long as a knowledge of natural laws is essential to success in such work, so long should the natural sciences receive a large share of attention in our schools. Moreover, our State in vain provides for training a body of scientific men, without a public opinion educated up to the apprehension of scientific principles.

Signed by

THEODORE BRADLEY,
And two hundred and sixty others.

To the Honorable the Legislature of the State of California :

Your petitioners respectfully represent :

That they are inhabitants and qualified electors of the Town of Anaheim, and that they compose a majority of the qualified electors of that town.

That the limits of said town comprise sections ten, eleven, fifteen and fourteen, and the east halves of sections nine and ten of township four south, range ten west, of San Bernardino meridian and base line, forming a rectangle of two miles and a half in length from east to west, and two miles wide from north to south, as shown by the plan that accompanies this petition.

That the population of said town is more than seven hundred, and that the number of qualified voters is seventy-five or more.

And that a large majority of the inhabitants and of the qualified voters of said town desire that it should be incorporated according to the provisions of an Act entitled an Act for the incorporation of cities, passed March eleventh, eighteen hundred and fifty.

Wherefore, your petitioners pray that the said town may be incorporated under the name of "The City of Anaheim," and made subject to the provisions of that Act, so far as the same may not be changed by the Act of incorporation.

Signed by

WM. M. HIGGINS,
And fifty-two others.

To the Honorable the Legislature of the State of California :

The undersigned, property holders in the City of San Francisco, respectfully but firmly remonstrate against the passage of the proposed Act to extend Montgomery street diagonally across the hundred vara survey, by confirming the proceedings of the Supervisors in said case or otherwise.

The reasons against such proposed action are numerous and cogent, among them may be suggested the following:

1. The cost imposed by such a proceeding would be onerous and burdensome, without conferring any corresponding benefit whatever.

2. The angle at which the proposed extension of Montgomery street must intersect all the streets which it crosses and the entire mass of real property between Market and Connecticut streets, will be destructive of the symmetry of the official survey of all that part of the city and of a great amount of land and buildings, out of all proportion to any real or supposed benefits.

3. The terms of the ordinance of the Board of Supervisors, which it is proposed to confirm, are glaringly unjust, in this: that while a large area of property, purchased and paid for on the faith of the permanence of the city map, prepared and adopted under the sanction of the Legislature, will be injuriously affected in value by the proposed extension, no compensation whatever is proposed to be given except for land actually taken for the said street.

4. The proposed extension is to be eighty (80) feet wide; the width of the present Montgomery street being but sixty-two (62) feet, it will require to be widened eighteen feet to correspond therewith; and, as the centre lines of the two streets are to coincide, this involves the destruction of the fronts of all the buildings on both sides of the present Montgomery street—a useless and wanton expense. If the new street is to be opened, there is no reason why one side of it should not be made coincident with the corresponding side of the present street.

5. The proposed extension, if conceived in the public interest, would have been, by a deflection of a few feet, made to cut the blocks of the hundred-vara survey into equal subdivisions and pass through the intersections of alternate streets, as: Third and Howard, Fourth and Harrison, Fifth and Brannan streets, etc., thus involving much less destruction of property. The contemptuous and wanton disregard of all public considerations in the ordinance shows that it was got up purely in the interest of a few speculators, through whose property the proposed street is to pass.

6. The validity of the ordinances and proposed extension are now in controversy in two causes pending and undecided in the Supreme Court. The undersigned respectfully submit that it is not in accordance with the spirit of our institutions nor consistent with true republican government, for the Legislature to interfere under such circumstances and make law to suit any particular case.

Signed by

JOSEPH A. DONOHUE,

And twenty-eight others.

SAN FRANCISCO, February 24th, 1870.

To the Honorable Committee on Mines and Mining of the Senate of California:

The undersigned, recognizing, as we do, the special interest which all classes of our people have in the home production of iron from our own iron deposits, believe that such State aid should be extended to this branch of manufacture as will insure the early inauguration of the home production of iron and steel.

Signed by

J. MORA MOSS,

And one hundred and nineteen others.

To the Honorable the Senate and Assembly of the State of California :

The undersigned, residents of Mariposa and Fresno Counties most respectfully urge upon the importance and necessity of changing a part of the boundary line between Mariposa and Fresno Counties, with the object and intent to make the same conform to the natural wants and demands of those residing near the present boundary line of each county.

As it is at present, many farmers living within less than twenty miles of the county seat of Mariposa County, with good wagon roads to that place, are obliged to travel fifty miles over a rough trail to get to Milerton, the county seat of Fresno County, and to reach there by wagon are obliged to travel within less than two miles of the county seat of Mariposa County, and then proceed fifty miles southerly, making a distance of nearly seventy-five miles.

The value of the farming lands to be affected by the proposed change is not sufficient to make any question, as the distance necessarily travelled by the Fresno County officers at present, in serving papers, etc., renders the amount of revenue derived from them but a small item. The change we most respectfully urge is to have the line run as follows:

Starting on the present county line at the southwest corner of section eleven, and the northwest corner of section fourteen, in township six, south, range twenty east, of Mount Diablo meridian; thence running east, following the section lines to the top of the main ridge between the waters of Big Creek and the Fresno; thence eastwardly on the main ridge which divides the waters of the Merced and San Joaquin Rivers, to the eastern boundary of Fresno County.

We would further state that the above proposed line, after striking the dividing ridge between Big Creek and the Fresno, is a natural boundary running between two streams, whereas the present boundary line crosses Big Creek, the south fork of the Merced, head waters of the main Merced and Tuolumne Rivers diagonally; and this alone we urge as sufficient reason for a change of the boundary line.

Signed by

S. L. HOGAN,
J. N. WALKER,
HARRY DISCON,
G. BAILEY,
J. G. SIMPSON,
And thirty-two others.

To the Senate and Assembly of the State of California :

Your petitioners respectfully represent that they are residents of a tract of land known by the name of "Sutter Island," embraced within the boundaries of Yolo and Solano Counties.

That between said island and the remainder of Yolo and Solano Counties large bodies of water intervene, which, in effect, completely cut off all communication between their county seats and our island, except by a route passing through the City of Sacramento.

That our geographical position and trade relations are such as to make "our island" the natural adjunct of Sacramento County.

That with the remainder of Yolo and Solano Counties we have no business, while we have a large and growing trade with Sacramento City, and, as but a single instance of the inconvenience of our present connection with Yolo and Solano Counties, your petitioners show that to reach and return from the county seats requires one hundred miles of travel.

Hence we ask that "Sutter Island" may be detached from Yolo and Solano Counties, and added to Sacramento County.

And your petitioners will ever pray, etc.

Signed by

S. T. MORSE,
And twelve others.

To the Honorable the Senate and Assembly of the State of California :

The petition of the undersigned, constituting the Board of Trustees of the Town of Grass Valley, in the County of Nevada and State of California, respectfully sheweth :

That the corporate limits of said town were declared and established by the Act of incorporation, prior to any survey of the public lands in that vicinity by the Government of the United States ; that such survey has since been had ; that application has been made, on behalf of the inhabitants of said town, by the Board of Trustees thereof, through the proper Land Office, for the purchase of the lands granted to the inhabitants of said town, under and by virtue of the Act of the Congress of the United States entitled an Act for the relief of towns and cities upon the public lands, approved March second, eighteen hundred and sixty-seven ; that the present corporate lines of said town do not correspond with the section or subdivision lines of the survey of the public lands of the United States, but differ therefrom to the extent of about one hundred and twenty yards ; that it would be beneficial to the inhabitants of said town that the corporate limits thereof should be made to correspond with such section and subdivision lines, as such change would facilitate the obtaining of title to the lands included within the town site.

And we would further represent that a majority of the inhabitants occupying the small strip of land on the eastern side of said town, between the present corporate line and the proposed line, are favorable to the change and desire to be brought within the corporate limits.

Your petitioners therefore pray that section two of the Act to incorporate the Town of Grass Valley be so amended as to include within its area the southeast quarter, and the south half of the northeast quarter, and the southwest quarter of the northwest quarter, and the east half of the southwest quarter of section number thirty-seven, in township number sixteen north, range number eight east, Mount Diablo base and meridian.

And your petitioners would ever pray, etc.

C. CONAWAY,
C. C. SMITH,
C. C. TOWNSEND,
E. R. WEST,
DANIEL COLLINS.

To the Honorable the Senate and Assembly of the State of California :

The undersigned, residents of that portion of the suburbs of the Town of Grass Valley, in Nevada County, California, comprised between the eastern boundary line of the corporation limits of said town and the eastern boundary line of section twenty-seven, in township number sixteen north, range eight east, Mount Diablo base and meridian, would respectfully pray that the eastern boundary line of the said Town of Grass Valley be so changed, by Act of the Legislature, that the same shall correspond with the eastern boundary line of said section twenty-seven, to the extent mentioned and described in the petition of the Board of Trustees of said town.

And your petitioners would ever pray, etc.

Signed by

CHAS. BAKER,
And others.

SAN FRANCISCO, December 31st, 1869.

At a meeting of the Board of Education of the City and County of San Francisco, held on the twenty-first instant, the following resolution was unanimously adopted :

Resolved, That the Board of Education most respectfully petition the Legislature, now in session at Sacramento, for the passage of an Act empowering said Board to pay the claim of William Craine, amounting to four hundred and seventy-five (\$475) dollars, for services rendered as architect of the School Department of this city during the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven.

GEO. BEANSTON,

Secretary Board of Education.

JAMES DENMAN, Superintendent of Common Schools.

To the Honorable Senate of California :

The Sacramento Ministerial Association beg leave respectfully to memorialize your honorable body against a repeal of the present Sabbath law, or any modification of it that shall weaken or lower its tone or salutary effects. The Sabbath has, from the origin of the country, been regarded as a part of our American civil system. It is deeply entrenched in the affections of a large part of the sober and industrious population as a sacred day. And the history of those communities where it has been observed, contrasted with those where it has not been, shows that it is promotive alike of moral and civil good, and that no people that cherishes the influences best calculated to secure the moral elevation of society, on which the statesmen who founded our Government based their hopes of the republic, can afford to dispense with the Christian Sabbath.

Your memorialists would further state that the proposed modification of the Sabbath law is demanded chiefly by a portion of our foreign population who enjoy all the rights and privileges of our institutions, and bear no more burdens than others, while it would cause bitter grief to many of those whose fathers have secured; by their sacrifices and toils, these priceless civil blessings. And your memorialists represent that the foreign population are by no means a unit in their wishes for modification, but that a large number of the industrious and virtuous among them, either would be very much grieved by it, or are altogether indifferent to it. Many of them are satisfied with our American institutions, grateful for them, and make no attempt to oppose or overthrow them. They desire to become Americans in their ideas and practices, rather than require the Americans to adopt, at point of law, their foreign practices.

For these, among many other reasons, your memorialists, believing that they represent in this particular the wishes of the clergy and the Christian people generally throughout the State, respectfully request your honorable body to make no essential modification of the existing Sabbath law, unless it be calculated to promote a better observance of the Christian Sabbath as a sacred day.

I. E. DWINELL,
Pastor of the Congregational Church.
J. H. WYTHE,
Pastor of the Sixth Street M. E. Church.
W. R. GOBER,
Pastor of the Seventh Street M. E. Church (South).
J. B. HILL,
Presiding Elder of Sacramento Circuit, M. E.
GEO. NEWTON,
Pastor of the H Street Methodist Episcopal Church.
MATTHIAS GOETHE,
Pastor of the German Lutheran Church.
F. L. NASH,
Pastor of Presbyterian Church.

Members of Association.

We concur :

FREDERIC CHARLTON,
Pastor of Baptist Church.
THOMAS GIBNEY,
Pastor of St. Rose's Church.
PATRICK SCANLAN,
Assistant Pastor of St. Rose's Church.
WM. H. HILL,
Rector of Grace Church, Sacramento.

SACRAMENTO, January 3d, 1870.

To the Honorable the Members of the General Assembly of the State of California :

Your petitioner, Emily Bartholomew, of Springfield, Clarke County, Ohio, guardian of the persons and estates of Frank G. and Ralph H. Bartholomew, minors, and children of your petitioner, respectfully represent and show: That heretofore, on or about the seventeenth day of October, Anno Domini eighteen hundred and sixty-four, and after legal steps thereupon had, letters of guardianship of said minors were duly issued to your petitioner by the Probate Court of the County of Butte and State of California; that your petitioner, then a resident of said County of Butte, duly entered upon the discharge of her duties as such guardian, and afterwards, to wit, on the twenty-fifth day of January, eighteen hundred and sixty-five, your petitioner duly returned to said Court a true inventory and appraisement of all the estate, real and personal, of her said wards, that has come to her possession and knowledge.

That the following is a description of the real estate and condition of the estate of her said wards that has come to her possession and knowledge, to wit :

The undivided one-fourth part of the "South Feather Water Ditch property, with all the privileges and appurtenances, more particularly described in the decree of distribution in the matter of the estate of Jacob Bartholomew, deceased, in the Probate Court of said Butte County, the undivided one-eighth thereof belonging to each of said minors respectively."

Your petitioner further represents that in the year eighteen hundred and sixty-seven she removed with her said children and wards from said County of Butte and State of California, to said City of Springfield, County of Clarke and State of Ohio, the latter being the place of your petitioner's residence prior to her removal to the State of California, and the present place of the residence of her relatives. Your petitioner further represents that she owns in her own right the undivided one-fourth part of the above described premises, and that one D. W. C. Gaskill of said County of Butte, in the State of California, is the owner of the remaining undivided one-half of said premises.

Your petitioner further represents that said property, although valuable, requires annually large amounts of outlays in money for improvements and repairs and management, and is liable, as your petitioner is led to believe, to depreciate in value, and that it would be for the benefit of said wards that their real estate should be sold in order that the proceeds thereof may be put at interest or otherwise invested in some productive bonds or stocks, and that the proceeds thereof may be used, applied and reinvested for the benefit of said wards.

Your petitioner further represents that it is impossible for her to give her personal supervision and oversight to the same. That she is informed that her and her said wards, said co-tenant is desirous of selling his said interest in said premises, and would join, upon obtaining a purchaser at a fair and reasonable price, and in the conveyance of the whole of said premises to such purchaser.

Your petitioner further represents that said wards' interest in said premises cannot be sold under an order of Court at public sale, as such separate interest, for a fair and reasonable price, but if your petitioner is authorized by law and special enactment of your honorable body to sell at private sale, and as such guardian to convey said premises to a pur-

chaser thereof, in conjunction with her own and said co-tenant Gaskill's interest therein, the same would bring its fair and reasonable value in the market.

Your petitioner further represents that upon obtaining the authority hereinafter prayed for, she will give bond, as guardian of the person and estate of said wards, in such sum as will amply secure to them the full amount of the proceeds of the interest of said wards in said premises, in the Probate Court of Clarke County, Ohio.

Your petitioner, therefore, prays your honorable body to, by law and special enactment, grant her authority to sell, and by good and sufficient deed or deeds convey the premises aforesaid to a purchaser or purchasers, for cash, or upon such reasonable terms of credit as may be for the interest of said wards, their said interest in the premises aforesaid; and this your petitioner is ever bound to pray.

JANUARY 6th, 1870.

EMILY BARTHOLOMEW,
Guardian of the persons and estate of
Frank G. and Ralph H. Bartholomew.

Attest: J. WARREN KEIFER, Springfield, Ohio.

*To the Honorable the Senate and the Assembly of the State of California, at
Sacramento:*

The undersigned, residents of Mariposa and Fresno Counties, most respectfully urge upon you the importance and necessity of changing a part of the boundary line between Mariposa and Fresno Counties, with the object and intent to make the same conform to the natural wants and demands of those residing near the present boundary line of each county.

As it at present is, many farmers living within less than twenty miles of the county seat of Mariposa County, with good wagon roads to that place, are obliged to travel fifty miles over a rough trail to get to Millerton, the county seat of Fresno County, and to reach there by wagon, are obliged to travel within less than two miles of the county seat of Mariposa County, and then proceed fifty miles southerly, making a distance of nearly seventy-five miles.

The value of the farming lands to be affected by the proposed change is not sufficient to make any question, as the distance necessarily travelled by the Fresno County officers at present, in serving papers, etc., renders the amount of revenue derived from them but a small item.

The change we most respectfully urge is, to have the line run as follows:

Starting on the present county line at the southwest corner of section eleven and the northwest corner of section fourteen, in township six south, range twenty east, of Mount Diablo meridian; thence running east, following the section lines to the top of the main ridge between the waters of Big Creek and the Fresno; thence eastwardly on the main ridge which divides the waters of the Merced and San Joaquin Rivers, to the eastern boundary of Fresno County.

We would further state that the above proposed line, after striking

the dividing ridge between Big Creek and the Fresno, is a natural boundary, running between two streams, whereas the present boundary line crosses Big Creek, the south fork of the Merced, head waters of the main Merced and Tuolumne Rivers, diagonally, and this alone we urge as sufficient reason for a change of the boundary line.

Signed by

S. E. MAGOON,
EDWIN MOORE,
And seventy-eight others.

AFFIDAVITS.

AFFIDAVIT OF J. H. SMITH AND M. C. KERRICK.

STATE OF CALIFORNIA, }
County of San Joaquin. } ss.

On this twenty-third day of December, A. D. eighteen hundred and sixty-nine, before me, John H. Webster, a Notary Public in and for said county, personally appeared J. H. Smith and M. C. Kerrick, each of whom was by me first duly sworn; and the said J. H. Smith, for himself, deposeth and says: that on the twenty-first day of October, eighteen hundred and sixty-nine, at the "Nightingale," in San Joaquin County, his employé, Michael Flynn, was murdered; and thereafter, affiant, by advertisement in the newspapers of his county, offered a reward of three hundred dollars for the arrest of the murderer, one John K. Best; that after said reward was offered, the above named Kerrick, with others, started in pursuit of the murderer; that affiant, at different times during the search, paid to and account of the expenses of the pursuing party, various sums, amounting in the aggregate to the sum of two hundred and fifty-five dollars; that said Best was arrested by a Constable of Tulare County and delivered by him to the custody of the Sheriff of this county, in whose charge he now is, under indictment for murder in the first degree; and that affiant afterwards paid to the said Constable the said reward of three hundred dollars, making the total sum of five hundred and fifty-five dollars, in gold coin, paid by affiant on account of the arrest of said Best. And said M. C. Kerrick, under oath, says that he is aware of all the facts mentioned in the foregoing statement of said Smith, and especially of the payment by him of the various sums therein mentioned.

JOHN H. SMITH,
M. C. KERRICK.

Sworn to and subscribed before me the day and year first above written.

[SEAL]

JOHN H. WEBSTER,
Notary Public.

AFFIDAVIT OF F. G. BURNS.

Received, Stockton, November tenth, eighteen hundred and sixty-nine, from J. H. Smith, the sum of three hundred dollars, in full of amount of a reward offered by him in the columns of the *Stockton Independent*, for the arrest of John K. Best, of which the following is a copy :

THREE HUNDRED DOLLARS REWARD.

The above reward will be paid to any person who will arrest and deliver into the hands of the Sheriff of San Joaquin County, John K. Best, who shot and killed Michael Flynn at the Nightingale, Thursday afternoon, October twenty-first. The said John K. Best is thirty or thirty-five years old, about five feet six inches in height, and weighs about one hundred and fifty pounds. He has lost his right eye, but sometimes wears a glass one. His hair is dark, and when last seen he wore a moustache and chin whiskers. When he left he wore a black dress coat and black pants, and rode a roan horse branded on the hip with a brand representing an Indian bow and arrow.

Signed,

J. H. SMITH.

NIGHTINGALE, October 24th, 1869.

The above amount was received in United States gold coin.

F. G. BURNS, Constable.

STATE OF CALIFORNIA, }
County of San Joaquin. } ss.

STOCKTON, November 10th, 1869.

I hereby certify that the above named sum of money was paid by J. H. Smith to Frank G. Burns in my presence, and his signature to the above receipt duly acknowledged by him, the said Frank G. Burns, to be in full satisfaction of the claim.

H. T. COMPTON,
Notary Public, San Joaquin County.

AFFIDAVIT OF JOSEPH A. DONOHUE.

STATE OF CALIFORNIA, }
City and County of San Francisco. } ss.

Joseph A. Donohue, of said city, being sworn, says: that he is a member of the firm of Donohue, Kelly & Co., of San Francisco; that he has learned from correspondence with the firm of John Munroe & Co., bankers of Paris, France, and as deponent believes to be true, the said John Munroe & Co., in the month of January, eighteen hundred and sixty-eight, inclosed in a letter and forwarded by mail to deponent's said firm for collection, seven coupons for thirty-five dollars each, for interest falling due January first, eighteen hundred and sixty-eight, upon seven bonds issued by the State of California, and numbered, respectively, seventeen hundred and eight (1708), seventeen hundred and nine (1709), seventeen hundred and ten (1710), seventeen hundred and twelve (1712),

seventeen hundred and fifteen (1715), seventeen hundred and sixteen (1716) and seventeen hundred and seventeen (1717). Said coupons never reached deponent's said firm, and, as deponent learns from said Munroe & Co., they were never returned to or received by them after they were forwarded as above stated.

Deponent believes that the letter inclosing said coupons miscarried, and that the coupons are lost.

JOSEPH A. DONOHOE.

Sworn to before me this ninth day of February, eighteen hundred and seventy.

[L. s.]

HENRY S. TIBBEY,
Notary Public.

AFFIDAVIT OF THOMAS T. DAVENPORT.

STATE OF CALIFORNIA, }
County of Sacramento. } ss.

Thomas T. Davenport, being first duly sworn, on oath says :

That he was Tax Collector, duly elected and qualified, of the County of Nevada, and acting as such from the month of March, eighteen hundred and sixty-three, to the month of March, eighteen hundred and sixty-five; that it was the duty of affiant, as such Collector, to collect State and military poll taxes within said county during said term; that during the year eighteen hundred and sixty-four, and after the first day of August, eighteen hundred and sixty-four, he received from the Auditor of the County of Nevada certain State and military poll tax receipts, and receipted to the said Auditor for the same; that affiant deposited said receipts in his desk, in the office of the Tax Collector, in the Court-house of Nevada County, the usual place of deposit of such documents; that thereafter, at some time to affiant unknown, there were stolen or taken from the desk aforesaid, without the knowledge of affiant, fifty-nine (59) military poll tax receipts, of the value of two (2) dollars each, amounting in all to the value of one hundred and eighteen (118) dollars, and ninety (90) State poll tax receipts, of the value of three (3) dollars each, amounting to the value of two hundred and seventy (270) dollars, making a total of three hundred and eighty-eight dollars; that, afterwards and at the time fixed by law for the settlement of his official account with the Auditor of said county, he accounted to said Auditor for the full amount of poll tax receipts so received by him as aforesaid, and paid over to the Treasurer of Nevada County the full value thereof, viz: the sum of three hundred and eighty-eight (388) dollars, in United States gold coin; and affiant says that the poll tax receipts above mentioned, or any part thereof, were never recovered by him, nor did he ever receive from any source any information concerning the same, or any compensation whatever for the moneys so paid by him to the Treasurer of Nevada County; and further affiant saith not.

T. T. DAVENPORT.

Sworn to and subscribed before me this eighth day of December, eighteen hundred and sixty-nine.

A. C. NILES,
County Judge, Nevada County, California.

AFFIDAVIT OF H. P. BARBER.

COUNTY OF SACRAMENTO, SS.

Henry P. Barber, being duly sworn, saith: that since he commenced work as a member of the Commission to revise the laws of this State, under the Act for that purpose, passed March twenty-eighth, eighteen hundred and sixty-eight, deponent has been daily and continuously occupied in said work, with very few exceptions, from nine A. M. until six P. M., and that he has frequently worked on it at other times, including holidays. Deponent further saith that he has worked honestly and faithfully at said work, and according to the spirit and intent of said Act, up to the first day of January, A. D. eighteen hundred and seventy, and that during that time he has personally drafted all the printed revised laws, together with a large mass of manuscript now in the office of the Attorney-General, in Sacramento, for the inspection of members of the Legislature, and that the amount of matter so prepared by deponent, personally, would exceed one of the printed volumes of the present Digest.

HENRY P. BARBER.

Sworn before me this twenty-fourth day of January, eighteen hundred and seventy.

GEORGE SECKEL,
Clerk Supreme Court.

AFFIDAVIT OF GEO. W. SCHELL.

STATE OF CALIFORNIA, }
County of Sacramento. } ss.

Geo. W. Schell, being duly sworn, deposes and says: that he is a practicing attorney and counsellor at law of the Courts of the State, residing at Knight's Ferry, County of Stanislaus, and that he is one of the attorneys for Frederick B. Lewis, one of the persons hereinafter described.

And deponent says, on information and belief, that one James M. Lewis, deceased, late of the County of Stanislaus, State of California, died intestate, on or about the twelfth day of October, eighteen hundred and sixty-three, seized and possessed of certain real estate situate and being in the said County of Stanislaus, and described as being the one-third undivided interest of one-half interest of the whole tract of land bounded as follows: On the northeast by the San Joaquin River; on the northwest by the lands of Judge Dean; on the south by unoccupied public lands, and on the east by lands occupied by Smith and Ingraham, all of which contains eighteen hundred and fifty acres.

And deponent further says that an action was instituted in the District Court of the Thirteenth Judicial District of the State of California, in and for the County of Stanislaus, on behalf of said State of California, and such proceedings had therein that a judgment was entered in favor of said State, on the fifth day of October, eighteen hundred and sixty-four, declaring the said estate of the said James M. Lewis, deceased, to have escheated to the said State of California.

That, as appears from the findings in said judgment, no defense was interposed to said action by any heir or heirs of said estate of said James M. Lewis, deceased, or by any other person or persons, and that at the time said action was brought and said judgment rendered as aforesaid, there was no heir or heirs at law known of the said James M. Lewis, deceased, capable to succeed to or inherit the estate of the said deceased.

And deponent further says, on information and belief derived from certain letters received by deponent's partner, J. J. Scrivner, from friends and relations of said James M. Lewis, deceased, (one of which letters is hereto attached, marked "A," on first page), and from other sources, that one Frederick B. Lewis is the son and only heir at law, and of right entitled to succeed to and inherit the estate of the said James M. Lewis, deceased; that at the time of the death of the said James M. Lewis, deceased, he, the said Frederick B. Lewis, (who must then have been over twenty-one years of age), resided in Pemiscot County, State of Missouri, and continued to reside there until more than five years had elapsed from the entry of the judgment declaring the estate of the said James M. Lewis, deceased, to have escheated, as aforesaid, to the State of California; that he, Frederick B. Lewis, continues to reside at the place aforesaid, and that during the five years aforesaid, said Frederick B. Lewis was ignorant of the character and condition of the estate of said James M. Lewis, deceased, and also as to whether the said James M. Lewis, deceased, did, at the time of his death, leave any estate whatsoever.

Wherefore, deponent prays that a bill be passed to authorize the said Frederick B. Lewis, heirs or assigns, to appear and prosecute his claim for the recovery of said real estate of said James M. Lewis, deceased, in the mode and manner prescribed in section five of an Act entitled an Act concerning escheated estates, approved May fourth, eighteen hundred and fifty-two, the same and with like effect in all things as if proper proceedings to recover said property had been instituted by said Frederick B. Lewis, his heirs or assigns, within five years after the rendition of said judgment declaring, as aforesaid, the said property to have escheated to the State of California.

GEO. W. SCHELL.

Subscribed and sworn to before me, February twenty-eighth, eighteen hundred and seventy.

R. T. SPRAGUE,
Justice Supreme Court.

AFFIDAVIT OF GORDON E. SLOSS.

STATE OF CALIFORNIA, }
County of Calaveras. } ss.

Gordon E. Sloss, being duly sworn, deposes and says that he is a resident of the Village of San Andreas, in the county and State aforesaid; that on the twenty-sixth day of September, A. D. eighteen hundred and sixty-eight, he, the said deponent, was the duly elected and qualified Assessor and Collector, in and for the fifth township of said Calaveras

County, State of California, and that he, as such Collector and Assessor, had in his possession, on said twenty-sixth day of September, A. D. eighteen hundred and sixty-eight, the following State and county licenses, to wit: Forty-five State and county poll taxes, two billiard licenses, two brokers' licenses (fifth class), and two theatre licenses—the whole of which amounted to the sum of one hundred and eighty-five dollars, of which sum sixty-eight dollars and forty cents belonged to the State

Deponent further says, that on the said twenty-sixth day of September, A. D. eighteen hundred and sixty-eight, his residence was destroyed by fire and that all of said before mentioned licenses were burned in his house, and that he, the said deponent, has paid to the State of California the aforesaid sum of sixty-eight dollars and forty cents.

G. E. SLOSS.

Sworn to and subscribed before me, this sixth day of January, A. D. eighteen hundred and seventy.

C. GOTTSCHALK, Notary Public

STATE OF CALIFORNIA, }
County of Calaveras. } ss.

I, J. A. Foster, Clerk and ex officio Auditor, in and for said Calaveras County, do hereby certify that G. E. Sloss, Tax Collector in and for Fifth Township of said county, did make his usual settlement with me on the first Monday of October, A. D. eighteen hundred and sixty-eight, and at that time the said G. E. Sloss made a similar affidavit to the above and foregoing, which was filed with the Board of Supervisors of said county, and by action of said Board of Supervisors, the said G. E. Sloss was released from the payment of the county portion of the foregoing and above described licenses. I also certify that the said G. E. Sloss at that time paid to the County Treasurer the sum of sixty-eight dollars and forty cents, being the State's portion of said licenses, which said sum of money was apportioned to the State Fund and paid to the State.

In witness whereof, I have hereunto set my hand and the seal of the county, this tenth day of January, eighteen hundred and seventy.

[L. s.]

J. A. FOSTER,
Clerk and ex officio Auditor of Calaveras County.

To the Honorable the Legislature of the State of California :

The undersigned would respectfully pray the honorable Legislature of the State of California to refund to him the sum of sixty-eight dollars and forty cents, paid by him to the State of California, as shown by the annexed affidavit.

G. E. SLOSS.

SAN ANDREAS, January 6th, 1870.

P E T I T I O N

OF

U N E M P L O Y E D L A B O R E R S

TO THE

L E G I S L A T U R E O F C A L I F O R N I A .

D. W. GELWICKS, STATE PRINTER

PETITION.

To the Honorable the Legislature of the State of California :

The petition of the undersigned, who are unemployed laborers seeking employment in the Labor Exchange of San Francisco without finding any, humbly represent to your honorable body—

That, by reason of the extreme low rate of wages which Chinamen accept for their labor, petitioners cannot get employment

That petitioners are citizens of the United States of America, and have been hitherto accustomed to find employment readily.

That every branch of employment seems curtailed and diminished by the competition of Chinamen, whose mode and standard of living are so greatly below that which the petitioners have been accustomed to that they look upon the fate of white laborers, if there be no remedy offered, as utterly degraded.

Petitioners do not presume to argue the injury to every interest of this State and neighboring States which will follow the destruction and dispersion of the white laborers and their families.

They simply inform your honorable body that they are idle—driven from the field of honest labor by a strange race, who have no ideas, interests or sympathies in common with us.

In conclusion, we pray your honorable body to adopt some measures for the total exclusion of the Chinese race from our State.

HENRY BOWMAN,
F. BRADY,
PETER SMITH,
RICHARD CAMPBELL,
WILHELM WITTKAMP,
MICHAEL DALY,
JAMES McDONALD,
JAMES CUMMINGS,
CHARLES HENRY,
W. T. HAWKINS,
JAMES CRIMINS,
C. SIMONS,
T. HEXTELL,

And others.



P E T I T I O N

OF THE

TRUSTEES OF THE ASSOCIATED VETERANS

OF THE

MEXICAN WAR,

ASKING THAT THE

BOARD OF SUPERVISORS OF SAN FRANCISCO

BE EMPOWERED TO GIVE THEM A DEED TO A CERTAIN LOT OF LAND IN
SAN FRANCISCO.

D. W. GELWICKS.....STATE PRINTER.

PETITION.

To the Honorable Senate and Assembly of the State of California :

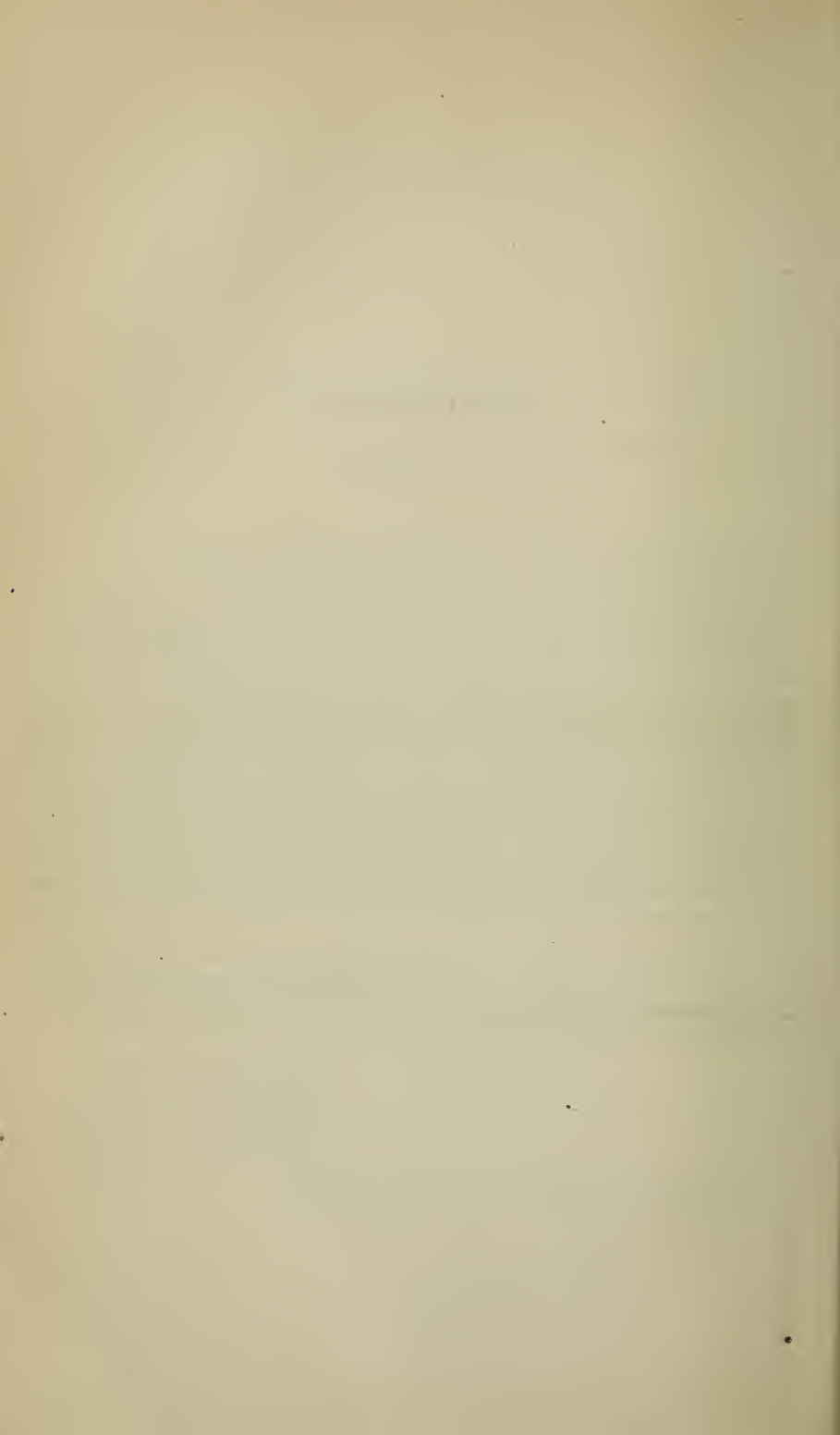
Whereas, the Board of Supervisors of the City and County of San Francisco, under the title of "Home for Veteran Soldiers," have set apart in the outside lands of said city a reservation on which buildings may be erected for that purpose, and which is described as follows: Beginning on the easterly line of Twenty-third avenue, two hundred and twenty-five feet northerly from the northerly line of Clement street; thence northerly along said line of Twenty-third avenue one hundred and fifty feet; thence at right angles easterly two hundred and forty feet to westerly line of Twenty-second avenue; thence southerly along said line of Twenty-second avenue one hundred and fifty feet; thence westerly, at right angles, two hundred and forty feet, to the beginning, being portion of block one hundred and sixty; and whereas, the said reservation was made and declared such at the request and for the benefit of the association known as "The Associated Veterans of the Mexican War."

Now, therefore, we, the undersigned, Trustees of said association, do hereby respectfully petition your honorable bodies to empower the Board of Supervisors of the City and County of San Francisco to vest in our association and make us a deed for the reservation above described.

BORNT SEGUINE,
HENRY R. CROSBY,
CHARLES VERNON,
JOS. E. NUTTMAN,

Trustees.

San Francisco, California, February 3d, 1870.



P E T I T I O N

OF THE

Directors of the Odd Fellows' Savings Bank

FOR THE REPEAL OF THE

MORTGAGE TAX LAW.

D. W. GELWICKS, STATE PRINTER.

PETITION TO THE LEGISLATURE
FOR THE
REPEAL OF THE MORTGAGE TAX LAW.

WHEREAS, By the laws of this State, money loaned on real estate has always been taxed as specie in the hands of the borrower, or wherever it may be found; and the land and improvements thereon, or other property produced by the same money, has also been taxed, and without abatement on account of such loan; and a tax has also been imposed upon the promises (mortgages) given for the repayment of such loans, though the money loaned and the land upon which it was loaned had already been fully taxed, thus virtually taxing not only what is real and substantial—namely, land and money—but also taxing mere promises and agreements, which are intangible and capable of indefinite multiplication and expansion upon one piece of land and one sum of money—one promise or mortgage being made the basis of many successive loans; and whereas, such taxation is excessive, unequal, unjust and impolitic, ignores the fundamental principles of enlightened statesmanship, represses industry, trammels and embarrasses business operations, repels capital, increases the rate of interest on money and is a grievance pressing with peculiar and aggravated force upon the working people; and whereas, Senate Bill No. 597, introduced by Mr. Kincaid, on March fifteenth, to abolish this tax, is a just and equitable measure, and should be passed, and we call on our representatives to support it by all means in their power.

A. BLOCK,
CHAS. N. FOX,
T. K. WILSON,
B. HAGAN,
J. BRENDERSTEN,
JOHN CAMMET,
C. M. BOYD,
JAMES POLLOCK.
M. SELIG,
A. S. NEDALL,
DAVID HUNTER,
JOHN J. HUCKS,
CLEMENT DIXON,
DAVID MEEKER,
CHARLES WETZLER,
M. HELLER,
LEWIS SOHER,
GEO. T. BOHEN,
HENRY B. BROOKS,
D. McLAREN.

Directors of the Odd Fellows' Savings Bank.
JAMES BENSON,
Secretary Odd Fellows' Savings Bank.



THE CHINESE QUESTION.

R E P O R T

OF THE •

SPECIAL COMMITTEE

ON

ASSEMBLY BILL NO. 13.

D. W. GELWICKS.....STATE PRINTER.

REPORT.

MR. SPEAKER: Your special committee to which was referred Assembly Bill No 13, entitled an Act to establish and maintain a police force for the protection and regulation of Asiatic and Mongolian residents of this State, and to prevent coolie slavery in California, having had the same under consideration, report it back with amendments, and recommend its passage as amended.

The subject matter of said bill is one of great importance and therefore not to be lightly considered. Your committee has given it the most earnest attention, being profoundly desirous of treating it in a spirit of justice, liberality, humanity, and in accordance with those principles of constitutional law and strict regard for the rights of all which should prevail with those who are called upon to legislate for the common weal. The members of your special committee can truthfully say that they have not, in the investigation of the subject intrusted to their care, been controlled either by narrow-minded views or partizan considerations. They have had in view only the welfare of the citizens of this State, the future prosperity of the country, and a desire to treat in a spirit of enlightened humanity, that peculiar race of people who are particularly the subject of the bill under consideration.

In their investigations, the members of your committee have discovered four very important leading facts which, in their opinion, demand the most serious attention of legislators and the public generally:

First—There are in this State upwards of forty thousand individuals of that class of the Asiatic or Mongolian race known as Chinese, and the increase of this population, under the influence of the coolie system, is full fifty per cent. more than that of the white population.

Second—Those people are under a government as absolute and perfect as any that ever existed, which system of government is maintained and enforced in this State, so far as the Chinese are concerned, wholly independent, outside and in derision of the authority of the State of California, as well as that of the Government of the United States. This system of government is maintained and enforced by what are known as the "Six Companies," and is in fact an *imperium in imperio*, in derogation of the dignity of our National and State Governments, and in contempt of their lawful authority. This Chinese Government in

California has its officers, its tribunals and executioners of its decrees. It has been demonstrated by the police authorities of our principal city that individuals have been repeatedly imprisoned in Chino-California prisons, flogged, beaten, otherwise maltreated, and their property confiscated, under the authority and by the command of this Chino-California Government; and there is no reasonable ground of doubt (though this is not susceptible of proof) that the death penalty has been frequently inflicted under the same authority. The peculiar habits and customs of the Chinese, together with ignorance of their language has heretofore made it impossible for the ordinary civil force of the State (the utmost our citizens are able to maintain at their own cost) to break up this extraordinary, tyrannical and illegal organization.

Third—As near as can be ascertained, fully nine-tenths of the Chinese in California are of that class generally known as "Coolies," i. e., persons who are to all intents and purposes practically as complete slaves to their masters as ever were the negroes of the Carolinas and Georgia. The coolies engage with their wealthy masters in China to work for them in California for the term of five years, for the sum of five dollars per month each, the masters paying all expenses while here, paying the expenses of their passage hither, and returning them back to China, dead or alive, free of expense, at the end of their term of service. The nature of these contracts, under Chinese laws and customs—which are as rigidly enforced by the Chinese companies in California as they are in China—is of such a character as to make the system of slavery here perfect, unless it is destroyed by American laws and officials.

Fourth—There are in this State something like three thousand Chinese females. On the authority of American residents and English papers in China, we are enabled to state that a great portion, if not all of these, were abducted from their homes and transported hither for the most unworthy of purposes. On the authority of the police force of the chief cities of this State, we are enabled to assert positively that in California these women are sold and bartered to the highest bidder, as if they were so many sheep or cattle. There is no pretence of a contract with them. They are bought and sold with entire impunity in California, as are any articles of legitimate merchandise. The ordinary civil and police force, within the financial capacity of our own people to maintain, is utterly powerless to put an end to this unholy traffic—a traffic far more vile, debasing, inhuman and opposed to the cherished principles and ideas of our Government, than was the slave trade of the African coast.

The matters stated in the above four subdivisions are facts, solemn and disgraceful facts, and we challenge any one to even partially controvert them in any single particular.

In view of the incontrovertable facts set forth above, your committee is of the opinion that it is a duty which the State owes to itself and to the principles of the Government of the nation to exert the utmost of its constitutional authority for the purpose of destroying a system so derogatory to its dignity and so derisive of the principles of American Government as is that of the Chinese empire maintained in this State. The sacred cause of humanity requires of the State, also, that it make use of its utmost prerogative to destroy the system of coolie slavery now existing here, and to secure to every person allowed by the General Government to reside in this country, the full and equal protection of our laws. The Chinese Government existing in our midst denies such protection to every coolie in California. And further, the good name of the State, as

well as the cause of morality and decency, imperatively demands that the most stringent measures be adopted to put an end to the most disgusting and demoralizing traffic in female prostitutes, which is fast making California infamous.

The manner in which the Chinese masters treat their poor slaves is no less revolting and inhuman than is their practice and system in opposition to every principle of our Government, and in derogation of its power and dignity. Not only do they imprison and beat them for disobedience of their demands, but they crowd them together in narrow and filthy quarters, where they not only engender disease for themselves, but from which they perpetually threaten pestilence to the communities in whose midst they are located. In this connection we quote from the last annual report of Dr. Jonathan Letterman, Coroner of San Francisco, a painstaking officer and a conscientious gentleman. Speaking of the Chinese, he says :

"I beg to call your attention to these people. The filth of most of their habitations cannot be described. I have seen a family of a woman and six children living in a room not larger than six by ten feet, with a child dead from small-pox, wrapped in rags and placed under a bench to get it out of the way.

"I respectfully invite your attention to the condition of these people. It is well worthy of your serious consideration, not only from the filthy condition in which they live, the neglect they undergo from their own people when they are sick and can no longer work, but because they are accumulating in our almshouses and lunatic asylums. While they are able to work, they are looked after by the companies which have imported them; but when they become sick, imbecile or dangerously insane, they are left to themselves to lie on a piece of matting and die, or, discarded by their own countrymen, taken up by the authorities and sent to the Almshouse or Lunatic Asylum. The companies who bring these people here should be compelled to take care of them when they are unable to take care of themselves."

The shrewd Chinese slave master considers it more profitable to throw his decrepid coolies upon the people of this State for support that it is to pay their expenses out of his own coffers; and as for sending them back to their own country, according to contract, it is cheaper to pay freight on inanimate bones than the expense of freighting live individuals. While the coolies are able to work, their Chinese masters greedily pocket the great bulk of the profits of their labor for transmission to China; but as soon as they become incapacitated for labor they are heartlessly thrown upon an already overtaxed community for support.

Is there no constitutional remedy for these monstrous evils, the existence of which is at once an outrage upon humanity, a disgrace to the civilization of the nineteenth century, and a barrier to the prosperity of the State? Your committee believes that such a remedy does exist, and that it is within the legitimate power of the State to apply it effectually. The civil and general police force which the State and municipal authorities are enabled to maintain from the revenues derived from a burdensome taxation on the people (a taxation in which the Chinese do not share one-fourth, in proportion to their numbers) are inadequate for the purpose. An extraordinary force, especially provided for the purpose, is absolutely requisite; and to provide such a force increased revenues are needed. Every principle of equity, justice, common sense, and consti-

tutional law, as uniformly enunciated by the jurists of the land, declare that those whose systems, practices and customs have rendered necessary such an extraordinary force, should be made to defray the expenses thereof.

Assembly Bill No. 13, as amended and herewith presented, proposes to break up the Chinese *imperium* which exists in this State, by employing a special force to watch the agents of that institution, and bring them to punishment, whenever they coerce, oppress, or in any manner maltreat their unfortunate and, at present, unprotected countrymen. It proposes to break up coolie and female slavery in this State, by making it a felony for any person to endeavor, by force or threats, to compel another to do service under the terms of any pretended contract entered into in a foreign country, and by placing at the back of such coolies, and other slaves as may desire to escape from their thralldom, an authorized State force of white men, to encourage and protect the unfortunate victims of slavery in any legal efforts they may make to gain that freedom to which all persons resident in this State are entitled by the laws of the nation. It purposes to provide for the decrepid and indigent victims of Chinese slavery by creating a fund for their support after they have been cast adrift by their heartless masters, and to this end imposes a tax upon the authors of their misery and the violators of our laws and institutions. In fine, the bill proposes to eradicate coolie slavery in California by ferreting out and punishing, as far as possible, those engaged in enforcing the system in this State, and by generally taxing them to such an extent as to make the nefarious and blighting traffic in which they are engaged unprofitable.

Though special taxes are provided for in the bill, no one is taxed for the privilege of entering the State; therefore, no taxes are levied upon commerce, nor to hinder immigration. No one is taxed for the privilege of remaining in the State, neither is the tax levied for the augmentation of either State or local revenues. And, though the tax is ostensibly levied upon one class of people, it will be observed that every dollar to be derived therefrom is to be devoted to the protection and benefit of a very large portion of the class upon which it is assessed. Nor does the tax operate as a burden upon a single one of the laboring Chinese in this State. True, it must of necessity be collected from individuals, but, as the Chinese masters are bound by contracts, which are believed to be binding in China, to pay each of their coolies five dollars per month, clear of all expenses, this tax eventually comes out of the pockets of the masters, and only operates to diminish the profits of their illegal and inhuman traffic.

Some have urged that the proposed tax is illegal. Such objection, we are convinced, is entirely without foundation. It appears that the plan of operations proposed by Assembly Bill No. 13, as amended, is in full accord with every enunciation of constitutional law yet made by American Courts. In New York a tax is levied upon all foreigners landing at its chief port. That tax has been held to be constitutional, for the reason that it is not designed to retard immigration, nor to add to the revenues of the State, but the means derived therefrom are appropriated for the sole benefit and protection of those who pay the taxes, as is proposed by the bill now under consideration. The tax proposed to be levied by that bill is solely for humane, protective, police and sanitary purposes, and the revenues to be derived therefrom are to be devoted to the sole benefit of the great majority of that class which is the especial object of taxation. The right of a State to levy a tax for uses and purposes such

as are proposed by Bill No. 13 has been, without reservation, maintained by every jurist and Court in the land.

"But," say some in opposition, "if you pass this law and put an end to what you call coolie importation, you will virtually put a stop to Chinese immigration!" Suppose such to be the case, what then? Will that produce an evil or a wrong? The people of the United States, in their individual and collective capacity—the National and State Governments—having emphatically pronounced against slavery in all its forms, shall we of California hesitate to raise our voice and the power of our State organization against any form of slavery, because, forsooth, we may thereby prevent the increase of a certain class of population? Your committee believe that it is the first duty of the State and its people to obey the laws of the United States—to respect the sentiments of the people of the United States—which are opposed to all forms of slavery.

We should be less than human, we would be guilty of absolute injustice, we would be untrue to the principles which underlie the Government of the United States, we would prove false to every instinct of propriety, humanity, morality, decency and justice, did we not use our utmost endeavors to protect all classes in this State, to prevent slavery herein, to obliterate the great evils of Chinese empire, coolieism and female slavery existing here, and which alone prevent California from enjoying the prosperity to which it is naturally entitled, and from being in full accord, in precept and practice, with the humane sentiments which pervade the people of other portions of the American Union. It has been decreed that slavery and oppression shall not exist on this continent. California should not be backward in enforcing that decree. The curse of coolie slavery is upon us. It checks our progress; it bars our prosperity; it hampers our enterprise; it shames our humanity, and calls in question our ideas of justice and of morality. We should, therefore, exert every means within our power to put an end to Chinese slavery and empire in our State, and thus perform our duty toward California, the United States and the cause of humanity.

All of which is respectfully and earnestly submitted.

E. A. ROCKWELL, Chairman.
DANIEL INMAN,
J. F. FREEMAN,
ANGEL G. ESCANDON.

ASSEMBLY BILL NO. 13.

A N A C T

TO ESTABLISH AND MAINTAIN A POLICE FORCE FOR THE PROTECTION AND REGULATION OF ASIATIC AND MONGOLIAN RESIDENTS OF THIS STATE, AND TO PREVENT COOLIE SLAVERY IN CALIFORNIA.

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. Three competent persons shall be chosen, in the manner hereinafter provided, as State Police Commissioners, whose term of office and whose powers and duties shall be as prescribed in this Act.

SEC. 2. The said Commissioners shall have power to appoint and maintain in each town and city of this State, in which there shall be residing one hundred or more persons of Asiatic birth, a suitable number of policemen, residents of such town or city and citizens of the United States, who shall have the authority and perform the duties prescribed by this Act.

SEC. 3. The Commissioners provided for in section one shall be appointed by the Governor, by and with the advice and consent of the Senate, as soon as possible after the passage of this Act, and shall hold office for four years and until their successors are appointed. They shall each give bonds in the sum of ten thousand (\$10,000) dollars for the faithful performance of their duties, and shall be held amenable in the criminal Courts for any misconduct or malefeasance in office.

SEC. 4. The number of policemen appointed under this Act shall not in any county exceed one for the first one hundred Asiatic inhabitants, and two for the first five hundred of such inhabitants, and two for each additional five hundred inhabitants of Asiatic birth.

SEC. 5. The State Police Commissioners hereinafter provided for, shall organize as a Board of Commissioners within ten days after their appointment, and shall appoint a Clerk, whose duty it shall be to keep a record of the action of the Board, and perform such other duties as may be prescribed by the Board ; and the sessions of the Board shall be held at San Francisco. The Board shall, within thirty days after their organization, provide for the taking of a census of Asiatic inhabitants in the State, and annually thereafter a census of Asiatic inhabitants shall be taken in the manner hereinafter provided.

SEC. 6. The census herein provided for shall embrace all Chinese, Malays, Japanese and Mongolians of every country residing in the State, and the name, age, sex, occupation, and state whether married or single, of each, shall be given in tabular form. The Commissioners shall provide the necessary blanks and forms, and shall appoint one or more Census Agents in each county, as the case may require. Such Census Agent shall receive for their services the same rate of compensation allowed by the United States Government to Census Agents in the year eighteen hundred and seventy, which compensation shall be paid from the special fund herein provided for, and from no other source.

SEC. 7. The Board of Commissioners shall prescribe rules and regulations for the government of the police force provided for in this Act, and may suspend or remove any policeman for incompetency, or violation of or disobedience to such rules, but for no other cause.

SEC. 8. The policemen provided for in this Act shall be uniformed in the manner to be prescribed by the Commissioners, and they shall, in the service of process upon persons of Asiatic birth, have the same powers and perform the same duties as other peace officers of this State. They shall be conservators of the peace in their respective counties, cities or towns, and shall have power to arrest persons of Asiatic birth or blood, without a warrant, in the same cases that other peace officers may arrest other persons without a warrant.

SEC. 9. The policemen provided by this Act shall, when on duty, patrol and guard the portion of the county, town or city to which they may be assigned, and shall, towards Asiatic residents, perform the same duties that are by law enjoined upon policemen generally toward other persons.

SEC. 10. The State Police Commissioners shall cause a sufficient number of the police provided for in this Act, in the City and County of San Francisco, to attend at the landing of every ship or vessel from any Asiatic port, to preserve order, see that none of the passengers of Asiatic birth are carried away against his or her will, or otherwise improperly treated, and that they are not subjected to unreasonable searches or seizures. And all policemen appointed under the provisions of this Act shall, at all times, be diligent in the performance of their duties, in order that all Asiatic inhabitants of this State shall be secured full protection, in person and property, according to the laws of the United States and of California; and to this end they must use all endeavors to prevent any Asiatic or Mongolian inhabitant from being deprived of their liberty or property, or from being otherwise punished or annoyed by extra-judicial and illegal bodies of their own countrymen or others, or from being subjected to any other regulations and discipline than those provided by the laws of the United States or of the State of California. And it shall further be the duty of said policemen to use all their efforts to prevent any Asiatic or Mongolian, or other person, from being held to service or labor against his or her will, under the terms of any pretended contract or agreement made or entered into in any foreign country. And any person found guilty of endeavoring, by force, threat or intimidation, to compel any Asiatic or other persons to comply with the terms of any such pretended contract or agreement shall be adjudged guilty of a felony, and sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars—one-half to the informer and one-half to the State, and to imprisonment in the State

Prison for not less than one nor more than three years for each offence. Courts having jurisdiction in other cases of felony shall have jurisdiction in all cases arising under this Act.

SEC. 11. It is hereby made the duty of the police force provided for by this Act to see that all sanitary regulations made by State or municipal authority are rigidly observed; that buildings are not overcrowded with occupants, and that a general system of cleanliness is enforced in yards and premises adjacent. Lessees of buildings shall be liable for overcrowding thereof, for accumulation of filth detrimental to general health, and on conviction of dereliction in any one of these respects, shall be subject to a fine of from one hundred to three hundred dollars, one-half to the informer and one-half to the fund provided for in this Act. Police Judges and Justices of the Peace shall have jurisdiction in cases arising under this section.

SEC. 12. The State Police Commissioners shall each receive from the special revenues hereinafter provided, and not otherwise, twenty-five hundred dollars per year. And each policeman shall receive one hundred and fifty dollars per month, payable from the same special revenues, and from no other source.

SEC. 13. The Controller of State is authorized and directed to issue blank tax receipts to the County Clerks of each county, in such numbers and to such amounts as may be required. Each male inhabitant of this State, of Asiatic birth, is hereby taxed and assessed in the sum of five dollars per month, payable monthly in gold coin of the United States. And each female Asiatic is taxed and assessed in the sum of three dollars per month, payable monthly in gold coin of the United States.

SEC. 14. The County Clerk of each county shall deliver to the Tax Collector therein, the tax receipts provided to be issued, and the Tax Collector shall with diligence enforce the payment of the same; and upon the receipt of the amount of monthly tax, shall deliver to the person paying the same, the receipt therefor, signed by the Controller, countersigned by the Clerk, and his own name written across the face thereof, with ink, and the date of issue filled up with ink. The Collector's fee shall be seven per cent. upon the amount collected, and to be allowed to the Collector at the time of making the settlement provided to be made with the County Treasurer. The Collector may appoint deputies at their expense, who shall have the same power as the Collector, but each Collector shall be responsible on his bond for the acts of his deputies, and may require bonds from the deputies. The fees herein allowed to Collectors shall be in addition to any salaries or fees now paid to said officers.

SEC. 15. The moneys collected under the provisions of this Act shall be paid in as other revenues are required to be paid by the Tax Collector to the County Treasurer, who shall keep separate accounts thereof, and, at his quarterly settlements with the State Treasurer, he shall pay the same over to the State Treasurer, who shall keep a separate account thereof.

SEC. 16. The State Police Commissioners shall make quarterly reports to the Controller, showing the number of officers performing service during the quarter, and the county in which such officers are employed, and the amount necessary to pay the expenses of the Commission and police force herein provided for. It shall be the duty of the Controller thereupon to draw his warrant upon the special fund herein provided for, in favor of the party entitled to the same, and the Treasurer shall pay said warrant out of said fund, and not otherwise.

SEC. 17. After the expenses of the State Police Commissioners and police force and other necessary expenses have been paid, as provided in the preceding section, the State Treasurer shall apportion any sum remaining in his hands belonging to said fund to the counties paying in the same, according to the amount paid by each, and the County Treasurers of such counties shall be credited for the amount due to their respective counties from such apportionment, at the next quarterly settlement; and the County Treasurer shall thereupon hold the same for the benefit of indigent sick and decrepid Asiatics within his county, to be disbursed in accordance with the orders of the Board of Supervisors, either for the support of such Asiatics or to pay the expense of their transportation to their own country.

SEC. 18. Every male and female Asiatic, over the age of eighteen years, or who shall be able to support himself or herself, not being ill or unable to work, who shall refuse to pay the tax levied by this Act when the same becomes due, or for ten days thereafter, shall be deemed a vagrant, and may be punished by imprisonment in the county jail for a period of not less than twenty nor more than sixty days, or, in the discretion of the magistrate exercising jurisdiction, may be required to perform labor upon the public works or upon any works, in the manner to be provided by the Board of Supervisors of the county in which the conviction is had.

SEC. 19. Asiatic persons landing in this State from any ship, boat or vessel shall be deemed inhabitants of this State, within the meaning of this Act, and the amount of tax levied by this Act for one month shall, upon the arrival of such ship, boat or vessel, become due, and the ship, boat or vessel upon which they have been conveyed to this State, and the owners thereof, shall be liable for the total amount of the tax hereby levied and for the tax levied upon each person so arriving and landing in this State. And it shall be the duty of the Board of Commissioners, upon the arrival of such ship, boat or vessel, to collect the tax upon each Asiatic so arriving, and if the whole of said tax, or any part thereof, shall not be paid, they shall immediately thereafter notify the Attorney-General of such non-payment, and it shall be the duty of the Attorney-General, immediately thereafter, to institute proceedings against such ship, boat or vessel, or against the owners thereof, as he may choose, to recover the same. In such action the provisions of the Act to regulate proceedings in civil cases in the Courts of justice in this State shall be applicable, so far as the same do not conflict with the provisions of this Act.

SEC. 20. Upon the commencement of such proceedings, the Clerk of the Court shall issue the proper summons, in the same manner as in other civil actions; and at the request of the Attorney-General, the Clerk shall, without any undertaking, issue an attachment against the ship, boat or vessel, which shall be levied and enforced as other attachments against ships, boats and vessels are required to be levied and enforced.

SEC. 21. Every person, corporation, joint stock association or company, by whom any Asiatic person, male or female, may be hired or employed in this State, shall be liable for the tax herein provided for, and said tax may be reserved by the employer from the wages of such Asiatic; but, whether reserved or not, may be recovered by action, in the name of the State, in any Court of competent jurisdiction; and the Collector may seize and sell personal property belonging to the party liable to pay such tax, as in other cases for the collection of poll taxes.

SEC. 22. It shall be the duty of the Secretary of State to cause this Act to be translated into the Chinese language, and to have ten thousand copies printed in said language, for distribution among the Chinese of this State and shipping ports in China.

SEC. 23. This Act shall take effect from and after its passage.

MAJORITY AND MINORITY REPORTS

OF THE

JOINT COMMITTEE ON STATE PRISON,

APPOINTED TO

EXAMINE INTO THE MANAGEMENT THEREOF, ETC.

D. W. GELWICKS.....STATE PRINTER.

MAJORITY REPORT.

In accordance with a concurrent resolution, the joint committee of the Senate and Assembly, who were directed to visit the State Prison and examine into the management thereof, and into all matters relating thereto, have completed their labors, and beg leave to submit the following:

The committee first examined the books of the Clerk, and found them to be carefully, and, as far as could be judged, accurately kept.

An examination of the Commissary Department was had, and the same found to be properly managed, from all that could be seen or ascertained.

THE BUILDINGS.

Your committee made a thorough examination of the buildings, in company with the architect and contractor under whose supervision they were erected. It is the opinion of these gentlemen that the new buildings are as substantial and perfect as could be constructed of the materials placed at their disposal, an opinion that is fully confirmed by the observations of the committee.

Under a provision made by the last Legislature, a building two hundred and fifty-four by sixty feet, four stories high, has been erected, to be used as a workshop. The necessity for such a building had long been apparent, and we consider that the Board of Directors are deserving of commendation for having it constructed in a manner so substantial and complete.

IMPROVEMENTS.

In addition to the erection of new buildings, other improvements of an important character have been made within the prison limits, which are noticed at length in the report of the Resident Director. Among the more important of these improvements may be mentioned the macadamized road leading from the prison to the steamboat landing; the reclamation of a body of sea-washed ground, and its conversion into a garden, which has been properly inclosed; the extension and repair of the brick yard; repairs of the old workshops and tannery, rendering them more com-

modious and safe. A want of a sufficient quantity of pure water, both for cooking and cleansing purposes, had long been felt, to supply which two wells have been sunk during the past year, and an abundant quantity is now furnished for all purposes, which is conveyed to tanks, and a reservoir built for the purpose, the latter having a capacity for containing one hundred thousand gallons.

The apartments of the Warden, officers and guards, the various offices inside the prison, the female convicts' apartments, and other portions of the prison have been thoroughly renovated and put in a comfortable condition.

OTHER IMPROVEMENTS NEEDED.

Notwithstanding the improvements made in and about the prison during the last two years, your committee find that others are imperatively demanded, and should receive prompt attention.

The increase in the number of convicts has rendered the accommodations of the prison altogether inadequate for the number of prisoners now confined there.

There are many cells, without ventilation, in which no less than four prisoners are kept, thus rendering their confinement more a persecution than a punishment. [It is proper to state here that it is not the fault of the Resident Director or his officers that such a state of affairs exists. On the contrary, they are entitled to credit for their exertions to alleviate the sufferings of prisoners so confined.]

There are six large cells, or rooms, in each of which thirty-six men are confined, thereby constituting a school for crime, rather than being made to undergo a confinement intended to prevent them from concocting schemes for future evil. This is all wrong. There should be additional buildings erected, so that necessity would not compel more than two, at most, to occupy the same cell. This would require the construction of about four hundred additional cells, for the reason that there are now seven hundred and seventy-five prisoners there, and this number will probably be largely increased during the next two years.

Your committee consider it indispensable that the prison yard should be so extended as to include the brick yard on the west side of the prison, and either the building recently erected extended one hundred feet in length or a new one erected upon the ground, in the proposed extension of the yard.

MANAGEMENT AND DISCIPLINE.

As regards the general management of the prison and the discipline thereof, we consider the system as good as could be inaugurated under existing circumstances. The discipline appeared to be strict and thorough, yet void of unnecessary harshness. The officers seem to be efficient, and to have a perfect knowledge of their duties.

The Resident Director and his subordinates appear to have carefully kept the interests of the State in view, and also to have made the best use of the means at their command for the proper management of those placed in their charge. On their part we saw nothing deserving censure, but many things that merited praise.

The most glaring defect in our present system, and that may lead to much mischief, is the mode of appointing the subordinate officers, to wit: by a majority vote of the Board. It will be readily perceived that,

while the Lieutenant-Governor is supposed to be the chief officer there, if the subordinate holds his position independent of and against the wish of that officer, his orders may be disregarded, and a state of insubordination among the officers and guards exist, entirely inconsistent with the safe-keeping and correct management of the State Prison.

Whatever the theory of the law may be, the people will hold the officer in charge responsible for its management, also for the acts of the subordinate officer, whom he has not appointed, and cannot remove, as the law now stands. This must, in the nature of things, beget insubordination. Officers, knowing that the other two Directors are their friends, will become insolent and defiant, and enter into intrigues to get other officers displaced, that they or their friends may be advanced.

This, we have been informed by former officers of the prison, has been the source of most of the insubordination and difficulty at that institution. Your committee have therefore prepared a bill, which, we believe, will remedy these defects, and give a more thorough discipline among the officers, as well as insure a more efficient administration of the prison, the passage of which we most earnestly recommend.

The question has arisen, and some discussion has been had, as to whether the present is the best mode for the organization of the Board of Directors of the State Prison. From the improvement in the discipline and order among the prisoners, the necessary and permanent improvements made upon the prison grounds, the economical, humane and benevolent management, we are constrained to believe that no better mode of electing the Directors can be devised. These *ex officio* Directors are all men selected for their ability, integrity and business habits, to perform other more important duties; their reputations, as well as the reputation of their party, are all at stake, which certainly constitute an inducement as strong for the Governor, Lieutenant-Governor and Secretary of State to perform these, as their other duties, honestly and properly.

MENTAL AND MORAL IMPROVEMENT OF PRISONERS

Your committee noticed with pleasure that efforts have been and are being made to improve the minds and morals of those who, by reason of their crimes, have been shut out from society.

At the suggestion of officers of the prison, heartily seconded by Rev. Dr. Lucky, of the State Prison Commission, and other humane and liberal gentlemen, books have been procured and a school put in successful operation. Two hundred and fifty convicts receive instruction every Sabbath, while many of them employ their evenings in careful study. Religious instruction is also imparted, in which many of the prisoners seem to take a lively interest. The efforts of Dr. Lucky, in this respect, have been unremitting, and entitle him to the warmest gratitude. The prisoners have for him a feeling akin to reverence, and his influence over them is unbounded. The fruit of his ministrations, we are led to believe, will be the restoration to honest society of many who would otherwise have become more hardened criminals.

RECOMMENDATIONS FOR CLEMENCY.

Your committee examined a number of prisoners who, for uniform good conduct and other reasons set forth, we think should receive the clemency of the Executive. See exhibit number one, accompanying this report.

[Exhibit number one is withdrawn, and is in the hands of the Secretary of State and Lieutenant-Governor for consideration.]

PRISONERS WHO HAVE SERVED FIVE YEARS AND OVER.

In exhibit number two will be found a list of prisoners who have served five years and over, together with the terms for which they were sentenced, the crimes committed, and from what counties sent.

CLASSIFICATION OF CRIMES.

The total number of prisoners on hand January fifteenth, eighteen hundred and seventy, with the crimes for which they were sentenced, will be found in exhibit number three, accompanying this report.

COST OF KEEPING PRISONERS IN OTHER STATES COMPARED WITH CALIFORNIA.

The cost of keeping prisoners in other States, and a comparison with the same cost in this State, will be found in exhibit number four, accompanying this report.

In conclusion, the committee have given the matters referred to them as thorough examination as their opportunities permitted, and present their views and recommendations to the careful consideration of the Legislature.

All of which is respectfully submitted.

E. J. LEWIS,

Chairman Senate Committee.

J. C. CRIGLER,

Chairman House Committee.

EXHIBIT No. 2.

List of prisoners who have served five years and over.

Name.	Term Sentenc'd		Term Served.		Crime.	County.
	Years...	Months.	Years...	Months.		
McClure, Alex.....	15	...	11	6	Murder, 2d deg.	Sierra.
Ah Coon.....	15	...	10	6	Murder, 2d deg.	Nevada.
Sepulveda, Juan	15	...	10	3	Murder, 2d deg.	Marin.
Lehman, John.....	15	...	10	...	Murder, 2d deg.	Tuolumne.
Dalton, Hero.....	12	...	9	6	Grand larceny..	San Diego.
Nichols, Charles	11	...	9	4	Murder, 2d deg.	Nevada.
Dixon, William	15	...	9	3	Robbery	Placer.
Sweeny, John.....	11	...	9	...	Grand larceny..	Sonoma.
Rodriguez, Tomas.....	10	...	8	...	Grand larceny..	Los Angeles.
Tapin, Gregoria.....	10	...	8	...	Grand larceny..	Los Angeles.
Escalante, Perfecto	10	...	8	...	Grand larceny..	Los Angeles.
McDermott, George.....	10	...	8	...	Murder, 2d deg.	Los Angeles.
Kennedy, John.....	10	...	7	8	Murder, 2d deg.	Los Angeles.
Artago, Vicente.....	12	...	7	6	Assault to rape.	San Bernardino
Galindo, Andreas.....	20	...	7	6	Murder, 2d deg.	Tuolumne.
Pizarro, Jesus.....	10	...	7	6	Murder, 2d deg.	Placer.
Davis, William	10	...	7	6	Manslaughter ..	Trinity.
Gibson, W. P.....	19	...	7	4	Murder	Calaveras.
Machado, Cosmo.....	15	...	7	4	Murder	Calaveras.
Oliver, Joseph A	30	...	7	3	Murder, 2d deg.	Merced.
Ross, G. H. S.....	10	...	7	3	Grand larceny..	Los Angeles.
Marshall, James	14	...	7	3	Robbery	Nevada.
Sagiel, Adrian.....	15	...	7	...	Murder, 2d deg.	San Francisco.
Romero, Ramon.....	12	...	7	...	Murder, 2d deg.	Sacramento.
Dewel, Joseph.....	16	...	7	...	Rape.....	Amador.
Roberts, alias Freshy...	10	...	7	...	Robbery	Nevada.
Smith, Henry.....	10	...	6	9	Murder, 2d deg.	Placer.
Balencia, Juan.....	10	...	6	9	Murder, 2d deg.	El Dorado.
Canas, Hosea.....	14	...	6	6	Robbery	Tuolumne.
Fierro, Leandro.....	10	...	6	6	Murder, 2d deg.	Sierra.
Drisdorn, J. W.....	15	...	6	6	Murder, 2d deg.	Amador.
Diedman, Chris	10	...	6	6	Manslaughter ..	Calaveras.
Lopez, Antonio.....	10	...	6	6	Murder, 2d deg.	Calaveras.
Gassoway, O. S.....	8	...	6	6	Robbery	Nevada.
Rodondo, Tomas.....	9	...	6	6	Grand larceny..	Alameda.
Cordova, José.....	10	...	6	6	Robbery	Calaveras.
Antonio, Lewis.....	14	...	6	4	Grand larceny..	Calaveras.
Wallace, Henry.....	10	...	6	4	Manslaughter ..	San Francisco.
Cummings, Andrew.....	10	...	6	4	Manslaughter ..	San Francisco.
McMahon, Jessee	10	...	6	...	Murder, 2d deg.	Sacramento.
Moreno, Antomacio	10	...	6	...	Grand larceny..	Los Angeles.
Alvitre, Ramon.....	12	...	6	...	Grand larceny..	Los Angeles.

EXHIBIT No. 2—Continued.

Name.	Term Sentenc'd		Term Served.		Crime.	County.
	Years...	Months.	Years...	Months.		
Alvitre, Lucio	12	...	6	...	Grand larceny..	Los Angeles.
Colombo, John	10	...	6	...	Grand larceny..	Los Angeles.
Ramirez, José	12	...	6	...	Grand larceny..	Calaveras.
Jones, Robert.....	15	...	6	...	Robbery	Alameda.
Parks, D. C	10	...	6	...	Robbery	Calaveras.
Ah Moon.....	8	...	6	...	Grand larceny..	Calaveras.
Lester, T. G.....	14	...	6	...	Assault to rape.	Sacramento.
Odiardo, Carlo E.....	10	...	6	...	Manslaughter ..	San Francisco.
O'Neil, Bernard	8	...	6	...	Burglary	San Francisco.
McCready, James.....	10	...	5	9	Robbery	San Francisco.
Merrill, Andrew H.....	10	..	5	6	Manslaughter ..	Sacramento.
Blodgett, Freak	10	...	5	6	Manslaughter ..	Marin.
Lopez, Francis	7	...	5	6	Manslaughter ..	Contra Costa.
Boyle, Charles.....	10	...	5	6	Robbery	Mariposa.
Warren, D. B.....	10	...	5	5	Assault to rape.	Siskiyou.
Ah Shim.....	20	...	5	5	Murder, 2d deg.	San Francisco.
Ah Foo.....	15	...	5	5	Murder, 2d deg.	San Francisco.
Ah Ping.....	10	...	5	5	Murder, 2d deg.	San Francisco.
Morris, William.. ..	7	...	5	3	Grand larceny..	Sacramento.
Baker, Samuel.....	9	...	5	3	Robbery	Amador.
Shuler, J. F	10	...	5	3	Robbery	Butte.
Gassoway, W. T.....	10	...	5	3	Robbery	Butte.
Culihuita, Ramon	13	...	5	...	Murder, 2d deg.	Santa Barbara.
McDermott, M.....	10	...	5	...	Manslaughter ..	San Francisco.
Ah Ming.....	10	...	5	...	Grand larceny..	San Francisco.

EXHIBIT No. 3.

Table showing the total number of prisoners in the State Prison, January 15th, 1870, with the crimes for which they were sentenced.

Crime.	No. of Prisoners.
Murder.....	17
Murder, second degree.....	74
Manslaughter.....	50
Assault to murder.....	21
Assault with deadly weapon.....	18
Attempt to poison.....	1
Mayhem.....	3
Incest.....	3
Rape.....	8
Assault to rape.....	10
Robbery.....	72
Assault to rob.....	13
Burglary.....	125
Arson.....	8
Arson, second degree.....	6
Forgery.....	15
Perjury.....	4
Embezzlement.....	3
Counterfeiting.....	3
Having tools in possession for counterfeiting.....	1
Breaking jail.....	2
Assisting prisoners to escape.....	1
Felony.....	31
Grand lareeny.....	261
Housebreaking.....	20
Theft (United States prisoner).....	1
Cruel punishment at sea.....	1
Receiving stolen goods.....	1
Buggery.....	2
Total on hand January 15th, 1870.....	775

EXHIBIT No. 4.

Table showing the cost of keeping prisoners in different States, per capita, for the year 1868, as shown in the report of the New York State Prison Commission.

States.	Cost Per Capita.
Vermont	\$177 00
Rhode Island	134 00
Connecticut	118 00
Michigan	144 00
Ohio	119 00
Pennsylvania	134 00
Indiana	179 50
Iowa	276 00
Kansas	335 00
Louisiana	320 00
Maine	187 00
Maryland	152 00
Massachusetts	156 00
Minnesota	342 00
Missouri	232 00
New Hampshire	199 00
New Jersey	230 00
New York (Auburn)	182 00
New York (Sing Sing)	181 00
New York (Clinton)	231 00
Oregon	348 00
Wisconsin	280 00
California	148 00

The cost of keeping prisoners at the California State Prison, for the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine, per annum, has been one hundred and forty-eight dollars per capita, being much below the average cost, and two hundred dollars less than the keeping of prisoners in the Oregon prison, per annum per capita.

MINORITY REPORT.

The undersigned, a minority of the Joint Committee on State Prison, being unable to concur with the majority in their report, in its entire scope, beg leave to submit their views separately upon the question connected with the recommendation for further enlargement of the capacities of the State Prison.

March thirtieth, eighteen hundred and sixty-eight, an Act was passed providing for the purchase of a site for a Branch State Prison. That purchase was duly made on the thirteenth day of June, eighteen hundred and sixty-eight, and the deed conveying the title to the State was executed and delivered to the proper officers, a copy of which we herewith submit.

The land selected under the Act consists of three hundred and fifty acres in Granite Township, in Sacramento County, accessible by railway from all parts of the State, and in a central locality in respect to the population and business of the State. On it are quarries of granite of the finest quality, and in quantity to supply labor for an indefinite number of convicts for any length of time.

The site is also immediately accessible to the finest water power in the State, sufficient to drive any machinery which may be used at the State Prison for manufacturing purposes.

By the Act cited, the State has inaugurated a policy which, in our opinion, should be carried out.

First—The number of prisoners now at San Quentin is greater than should be confined in one place. The institution is too unwieldy. There are more inmates than any one Warden can properly oversee, even with the most trusty subordinates.

Second—The classification of prisoners, even with building and grounds enlarged, as contemplated by the majority of the committee, cannot be effected so as to promote the welfare of the prisoners or do the greatest good to the State. Murderers, robbers, thieves, forgers and other criminals must be there, to a great extent, thrown together. The criminal hardened by a series of terms in the State Prison must be placed side by side with the youth atoning for his first crime. Men hardened beyond reclaim become the tutors; whilst the pupils are taught the nefarious arts of the hardened convict and become in time Ishmaelites, preying

upon society. Whilst, under other auspices, and with proper means of classification, the officers of the prison would be able to restore to society, in many instances, a useful member.

We propose to place at the disposal of the Warden a prison which will enable him to classify and separate the hardened and abandoned from those who have not yet become outcasts of society.

Third—In our opinion the cost of maintaining a branch prison, including its construction, will be more than compensated by the facilities for controlling the convicts during a series of years, and their labor can be better husbanded and more profitably applied at the place selected than at San Quentin, thus compensating the State for any additional outlay in getting the prison in suitable condition for the reception of prisoners.

Fourth—The faith of the State stands pledged by contract, submitted herewith, to take the land indicated and furnish convict labor as the consideration, to the extent of fifteen thousand dollars, at fifty cents per day. This labor cannot be supplied without first building the prison; and in our judgment the only way to liquidate that claim is to act in good faith and carry out our contract by supplying the labor, according to the agreement made with the State.

Fifth—Now, that the cost of extending the prison at San Quentin will be nearly or quite as great as to construct one at Folsom, is the proper time to enter upon the construction. The Natoma Water and Mining Company cannot be expected to wait always for the State to furnish the labor contracted for. A reasonable time has already elapsed, and we must either prepare to supply the labor or compensate the other contracting party in the damages they may sustain.

Sixth—The cost of transporting prisoners from the northern part of the State is now very considerable. The point is not at all times accessible. Officers with their prisoners sometimes are compelled to remain at San Francisco over night; and the aggregate of saving which might be effected from that source is worthy of consideration.

The undersigned, referring to the report of the majority of the committee to show the necessity of enlarging the prison room of the State Prison, and the cost of the same, beg leave to report the accompanying bill, and urge its passage, as more humane, economical and advantageous than the enlargement of the present prison at San Quentin.

R. D. STEPHENS.

D E E D.

This indenture, made this thirtieth day of June, Anno Domini eighteen hundred and sixty-eight, between the Natoma Water and Mining Company, a corporation duly incorporated under and by virtue of the laws of the State of California, and having its principal place of business in the Village of Folsom, in said State, party of the first part, and the State of California, party of the second part, witnesseth: that the said party of the first part, for and in consideration of the sum of one dollar lawful money of the United States, to it in hand paid by the second party, receipt whereof is hereby acknowledged, and in further consideration of fifteen thousand dollars in convict labor, rated at fifty cents per diem, to be furnished to said first party, in aid of its water power canal enterprise, by said party of the second part, but only at the convenience of the State, and whenever it may be deemed advisable and judicious by the Board of State Prison Directors of said State, has granted, bargained, sold, conveyed and confirmed, and by these presents does grant, bargain, sell, convey and confirm unto the said State of California, forever, all that certain piece or parcel of land situate, lying and being in Granite Township, Sacramento County, State of California, and being a portion of the larger tract, patented by the United States Government under the name of "Rancho Rio de los Americanos," the portion thereof herein conveyed being particularly and specifically described as follows, to wit: Beginning at a point on the east boundary line of said rancho, fifteen feet from where said line, projected northwardly, intersects the American River at high water mark; thence along said east boundary of said rancho south seventy-five chains and fifty links to a point; thence at a right angle west to a point within ten feet of the eastern line of the water canal of the Natoma Water and Mining Company, which said canal is near the eastern bank of the American River; thence northwardly along said canal, and ten feet from the eastern line thereof, to a point ten feet above the dam across said American River, constructed by and belonging to said Natoma Water and Mining Company; thence at a right angle westerly to a point fifteen feet above the American River at high water mark; thence along said river northeasterly, following its meanderings on a line fifteen feet above high water mark to the place of beginning, containing three hundred and fifty acres of land; together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, with the timber standing thereon, and the granite quarries contained therein, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part of, in or to the above described premises, and every part and parcel thereof, with the appurtenances; also, the

exclusive right forever to the use of the first fall, five feet perpendicular, of the whole water of the canal, at the upper end of that place, on the canal known as "Prison Yard," with all rights, privileges and easements necessary for the taking and enjoyment of power from said fall, it being understood that the said party of the first part reserves to itself the subsequent power resulting from the flow of water in said canal, after the first fall, as aforesaid, and that this instrument is not to be construed as granting unto said State the right to divert said water, or any material quantity thereof, permanently from said canal. To have and to hold all and singular the above mentioned and described premises, together with the appurtenances, unto the said State of California, forever.

And the said party of the first part warrants the said premises to be free from all and every incumbrance of any kind, character or description, and against any and all incumbrances now existing upon said premises, created or suffered by said party or by any other party, will forever warrant and defend. But in accordance with the resolutions upon the Branch State Prison location, passed by the Board of State Prison Directors, on the eighteenth day of June, A. D. eighteen hundred and sixty-eight, the above grant of water power is upon condition always that said Board of State Prison Directors do furnish and supply, at such times and in such manner as it may deem advisable and judicious, fifteen thousand dollars, in convict labor, rated at fifty cents per diem for each convict employed, unto said first party, in aid and construction of its water power canal and adjuncts, now partially completed along the western line of the lands heretofore described, or so much of the same sum as may suffice for the completion of dam and canal down to the point of delivering the said water power at the upper part of Prison Yard, as already mentioned.

In witness whereof, the President and the Secretary of the said Natoma Water and Mining Company, acting for said company under and by virtue of a resolution passed by the Board of Trustees of said company at a regular meeting thereof, holden at Folsom, on the thirtieth day of April A. D. eighteen hundred and sixty-eight, which resolution is in the following words, to wit: *Resolved*, That the Committee on Prison Site be also authorized to make all arrangements with the Board of State Prison Directors for the location of a branch prison upon the company's property, and the President and Secretary are hereby empowered and directed to execute, in behalf of this company, any and all deeds and agreements to and with said Board of State Prison Directors in behalf of the State of California, as shall be agreed to between the said Board and this company's Committee on Prison Site—which resolution still stands as an order of said Board of Trustees upon the books of said company, unrevoked and unrepealed, have hereunto set their hands and seals, the said Natoma Water and Mining Company having no corporation seal, on the day and year first above written.

[The word "Rio" is interlined between the fourth and fifth lines of the second page before signing.]

[SEAL.]

HORATIO G. LIVERMORE,
President of the Natoma
Water and Mining Company.

ROGER S. DAY,
Secretary of the Natoma
Water and Mining Company.

{ Fifty cent and fifteen
cent U. S. Internal Rev.
stamp, N. W. & M. Co.,
by H. G. L., N. W. &
Co., by R. S. Day, June
30, 1868. }

STATE OF CALIFORNIA, }
County of Lake. } ss.

On this third day of July, A. D. one thousand eight hundred and sixty-eight, personally appeared before me, Franklin Mahon, a Notary Public in and for said Lake County, duly commissioned and sworn, personally appeared the within named Horatio G. Livermore, President of Natoma Water and Mining Company, whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the same person described in and who executed the said annexed instrument as a party thereto, who has acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[NOTARIAL SEAL.]

FRANKLIN MAHON,
Notary Public.

STATE OF CALIFORNIA, }
County of Sacramento. } ss.

On this thirtieth day of June, A. D. one thousand eight hundred and sixty-eight, before me, James S. Meredith, a Notary Public in and for said Sacramento County, duly commissioned and sworn, personally appeared the within named Roger S. Day, Secretary of Natoma Water and Mining Company, whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the individual described in and who executed the said annexed instrument, and has acknowledged to me that he executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[NOTARIAL SEAL.]

JAMES S. MEREDITH,
Notary Public.



R E P L Y

OF THE

ASSEMBLY JUDICIARY COMMITTEE

IN ANSWER TO THE QUERY :

WHAT OFFICER WILL BE TAX COLLECTOR ON REAL ESTATE AND PERSONAL
PROPERTY IN THE COUNTY OF SANTA CRUZ, AFTER THE
FIRST MONDAY IN MARCH, 1870 ?

D. W. GELWICKS, STATE PRINTER.

R E P O R T.

Mr. SPEAKER: The Judiciary Committee, who were instructed by a resolution of this House, to answer the following query, viz: "What officer will be Tax Collector of taxes on real and personal property in the County of Santa Cruz, after the first Monday in March, eighteen hundred and seventy?" submit the following reply:

The answer to this question depends upon the construction of an Act of the Legislature of this State, entitled an Act to regulate salaries and fix the compensation of certain county officers, approved March twenty-eighth, eighteen hundred and sixty-eight. If the said Act took effect, so far as it devolves the duties of Tax Collector upon the Sheriffs of certain counties, within the usual time after its passage, to wit: sixty days from March twenty-eighth, eighteen hundred and sixty-eight, then, under section seven of the Act referred to, the Sheriff of Santa Cruz who was elected at the general election in September, eighteen hundred and sixty-nine, becomes ex officio Tax Collector for that county on and after the first Monday in March, eighteen hundred and seventy, when his term commences. It is insisted by many that section twenty-four of that Act, which repeals all laws and parts of laws in conflict with that Act, also provides that the said Act shall not take effect until after the the first Monday in March, eighteen hundred and seventy, and that the matter of fees and compensation, as well as the duties and powers of county officers, could not therefore be changed, and are not changed by said Act or any of its provisions.

People ex rel. McDougal vs. Johnson, 6 Cal., 673.

If such is the case, then the Sheriff who was not before that Act ex officio Tax Collector, could not become so by that Act, until elected as such at some time subsequent to the first Monday in March, eighteen hundred and seventy. Section thirteen of article six of the Constitution of this State reads as follows: "Assessors and Collectors of town, county and State taxes, shall be elected by the qualified electors of the district, county or town in which the property taxed for State, county or town purposes is situated." This clause in the Constitution absolutely restricts

the power of the Legislature in providing for the election of Assessors and Collectors of State, county or town taxes. And while the Legislature may devolve upon any county officer the duties of a Tax Collector or Assessor, it is essential that the law devolving such *ex officio* duty upon any county officer precede the election of such officer, so that the electors of the county may have an opportunity under the law of selecting the person or officer charged with the duties of Tax Collector or Assessor.

People vs. Kelsey, 34 Cal., 470.

It is conceded by persons who have given the subject some attention, that there is room for doubt as to the proper construction of the Act hereinbefore referred to.

'It will be necessary, first, to consider in the examination of this question, certain rules concerning the construction of statutes. This Act must be construed by deducing the intention of the Legislature from a view of the whole, and of every part thereof. All parts and sections of a statute must be compared together. We are not to look to one point of a section alone, but to the whole Act, and from its surroundings, if possible, determine the intent of the law makers. The real intention, when actually ascertained, will always prevail over the literal.

People vs. Draper, 15 N. Y., 532.

A construction which is necessarily productive of practical inconvenience to the community is to be rejected, unless the language of every part of the statute makes it so plain as not to admit of a different construction. We must consider first, the law as it previously existed, and second, the object of the change, and then give such construction to the language used in the law, as to carry their intention into effect, so far as it can be ascertained from the statute itself. Even though the intention is to be collected from the words, yet when the words are not explicit, it is to be gathered from the occasion and necessity of the law, the causes which moved the Legislature to enact it.

Donaldson vs. Wood, 22 Wend., 395;
Pillow vs. Bushnell, 5 Barb., 156.

In the case of a statute which is a part of the legal arrangements for carrying on the Government and providing for the administration of justice and its laws, the rule is, that if the words are not explicit, the sense is to be gathered from the occasion and necessity of the law. It is to be construed as most effectually to prevent a failure of the remedy; it is to be construed liberally.

Dwarris on Stat. 562, 614, 632.

A statute should not be construed to work a public mischief.

People vs. Lambier, 5 Den., 9.

These are some of the rules that are well settled concerning the construction of statutes.

Let us now examine the Act hereinbefore referred. There seems

to be no doubt that the Assessors of all the counties named in the Act, as County Assessors, are continued as such. Section three provides that all assessments shall be made by County Assessors. If any of these counties named in said section had a County Assessor, then clearly that Assessor must make the assessment. If any of them had not a County, but District Assessor, then as to such county, that section provides that a County Assessor shall be elected for that county at the general election to be held in eighteen hundred and sixty-nine. Why is this? Because when the District Assessor was abolished, there existed no officer in those particular counties to make the proper assessment. But in every of those counties, where there then existed a County Assessor, no election for such officer was required, for such Assessor was already elected to perform such duties. Now, apply this view to the case of Collectors of taxes. It is settled in this State that duties of Collector of taxes may be imposed upon the Sheriff, provided such duties are so imposed before the election of such officer.

People vs. Kelsey, 34 Cal.

This Act imposed such duties upon the Sheriff of the several counties named in section seven. There was no more necessity for providing by this Act for the election of the Sheriff as ex officio Collector of taxes, than there was for a County Assessor, when one already existed at and before the general election of eighteen hundred and sixty nine. There was another law which provided for the election of Sheriff, and immediately upon his election and qualification, as Sheriff, he became ex officio Collector of taxes, and upon him was then imposed this new duty as such officer. This must be the rational meaning and intention of the Legislature. The twenty-fourth section, when viewed as a repealing Act, is rather obscure, and not as intelligibly expressed as it might be. The decision of the whole question depends to a great extent upon the interpretation given to this section. Like the whole Act, it must be construed to assist the general scope of the Act; it must be construed so as to make the Act operate, and not produce confusion or mischief. If that section is to be held as an absolute repeal of all former laws upon the subject of this Act, and of all the incidental powers necessary to carry its general design and provisions into effect, then the wheels of government of the counties enumerated in section seven of the Act must stop, a consequence which no one believes was intended by the Legislature; nor would Courts give it such a construction, if another and consistent construction can be given. The Courts will not construe a statute so as to work a *felo de se*, nor defeat the intention of the maker, nor to work an injury or mischief to the objects of the enactment.

See authorities above cited.

When driven necessarily to such an interpretation, the English Courts have not hesitated to declare an Act of Parliament against natural justice as void.

See, also, 21 Cal., 114; 28 Cal., p. 275.

But before they will assume that ground, they will look at all the parts of the statute, and to other statutes *in pari materia*, its previous

statutes upon similar subjects, to ascertain the intention of the Legislature, and carry out that intention if possible. Now, under this view, examine this twenty-fourth section, and bringing it under this rule of construction, may it not be so read and interpreted as to make the Act harmonious, and all its parts have a reasonable operation, as intended by the Legislature?

This section first declares "*that all Acts and parts of Acts in conflict with the provisions of this Act are repealed, so far as they affect the provisions of this Act.*" Suppose the section had stopped there. Then the repealing clause would only have repealed such Acts which stood in the way of the full operation of this Act, as intended and provided for by the Legislature. If, then, there existed any Act which would have prevented that part of this Act which made the Sheriff to be elected in eighteen hundred and sixty-nine to perform the duties of Collector, then that obstruction was removed. The Legislature certainly could not have intended that such repealing clause should place any other Act in the way of the equitable and just operation of the Act itself. But this is not all of this remarkable section. To what is already quoted there is added, "to take effect from the first Monday of March, eighteen hundred and seventy." In the fair and equitable construction and interpretation of the statute the question arises, to what do these last words refer, and what do they mean when read with their context, and with the provisions of the Act. If they are intended, or to be read, as defining the time when the Act and its several provisions are to become a law, and to take effect as such, then the words "when this Act shall go into operation," are surplusage, and without any meaning or office to perform. If the former words have clearly and absolutely defined the time for the Act as a law to take effect, that is the time when it must necessarily go into operation. The object and intention of a law is oftentimes better ascertained from its title. It will be admitted, when the title expresses an entirely different object from the Act itself, then the title is of no aid to ascertain the intention. But in this case the title does clearly express the intent and object. That object is to *reduce fees and salaries*. In order to effect that object it was necessary to transfer certain duties from one officer to another, which was perfectly legitimate. That transfer is but an incidental, in order to secure and carry out the chief object of the Act. In order to effect the object of this Act, as incident thereto, the duties of Collector of taxes are transferred to, and made a part of the Sheriff's duty, and as such, to act ex officio Collector of taxes in such counties. That when this is done, then the chief object of the Act—namely, *a reduction of the salaries and fees*—shall go into operation on and after the first Monday in March, eighteen hundred and seventy. If this be the correct view of the Act, then the words, "to take effect from the first Monday of March, eighteen hundred and seventy," apply only to the repeal of those laws which prevent this chief and general operation of the Act—the *reduction of salaries and fees*. Under this view of the Act, all the provisions relating to the duties to be performed by the Sheriff went into effect at the usual time of Acts taking effect under the general law, and the reduction of salaries and fees postponed, until the first Monday in March, eighteen hundred and seventy. It was the intention of the Legislature that those incidental measures should have an immediate effect for the purposes of the Act, and that such intention should be carried out. Instead of declaring "the Act shall take effect," which are the usual words used in Acts, they have said, this Act "shall go into operation."

This last word is an unusual word, and when the Legislature used it they meant to convey an idea different from what is generally accepted by the words, "take effect." When they intended to repeal all Acts which should be in the way on the general "operation" of the Act, they used the usual words, "take effect;" but when they refer to those provisions necessary to prepare the general objects of the Act, as intended by the Legislature, then they declare, *on and after a certain time*, the Act and its general object shall go into "operation." This view of the Act was certainly taken by the counties mentioned in section seven. At the last general election held in Santa Cruz County, the people acted under the provisions of that statute. They elected a Sheriff in the belief, that from and after the first Monday in March, eighteen hundred and seventy, he was also to perform the duties of Tax Collector. We think, therefore, that the law did take effect for certain purposes, to wit, the election of officers, in *sixty days after the passage of the Act*, and that the person elected as Sheriff of Santa Cruz County at the general election in eighteen hundred and sixty-nine was elected also ex officio Tax Collector of said county, and that from and after the first Monday in March, eighteen hundred and seventy, should he qualify as such officer, he will be authorized to discharge the duties of Sheriff and ex officio Tax Collector.

We have consulted with the Attorney-General of the State, and he approves the construction here given to the statute in question.

NAPHTALY, Chairman.

REPORT

OF THE

Assembly Committee on Railroads

UPON THE QUESTION OF A

REDUCTION IN RAILROAD FREIGHT AND FARE RATES.

D. W. GELWICKS, STATE PRINTER

R E P O R T .

Your committee, to whom were referred Assembly Bills Nos. 251, 265 and 434, have had the same under consideration, and return the same with a substitute, and recommend the passage of the substitute for the following reasons :

The present condition of all railroad interests in the State of California is an entire devotion to their *constructive* requirements. Railroads are yet incomplete here ; that is the case even with the Central Pacific, with its construction expenses yet of a formidable character, and the "finishing up," a process which a few years of use and handling of the road will do away with, it now, according to the evidence before the committee, occupying the attention and solicitude of the managers, as much, if not more, than elaborate details of "operating." Every energy and all means in this State are devoted to creating the firm basis and groundwork of a railroad system upon which the innumerable future local developments can be made with proper economy to the State and attraction to foreign or Eastern capital.

The truth of the statement that railroads are yet in their *creative* state, force itself upon the attention of any one who carefully examines the operations of constructions yet in progress upon both the Central and Western Pacific Railroads and the Vallejo or California Pacific road.

The enormously expensive experiment of snow sheds upon the Sierras has hardly yet been brought to a close, the vast earthworks, unparalleled in magnitude, have hardly become settled to that extent when no unusual expense of renewal need be apprehended. An amount of care and expense, probably far in advance of what will be required a few years hence, is still demanded upon the greater portion of the Central Pacific and Western Pacific mountain lines.

The only roads in the State that we can call finished are the San José Railroad and the Oakland and Alameda roads ; there, the yearly expenses are reduced to a certain rate, and a more thorough knowledge of the conditions of the roads and their business in full detail can be obtained than upon any others.

The Central, Western Pacific, Oregon and California Pacific Railroads, while finished to the extent of carrying passengers and freight with

safety, and hence fulfilling the requirements of the law, are *not finished* to the extent that enables that service to be performed at the *possible minimum expense*.

If the public would give a closer attention to that point, much of the hasty and ill advised complaints against our present law would be avoided.

Heretofore this State has had neither experience nor precedent in that distinct branch of railroad business known as "operating," and which requires such wide knowledge of the fullest details of construction, of expenses, of renewals, and of the innumerable minor points which can only be known through a minute, exhaustive and searching system of accounts, records and management similar to that now in use in all well managed companies in our Eastern States. It appears that that system has but just been inaugurated in this State.

That the railroad policy of this State is yet in its infancy—that there is truth in the statement that we have a vast work of *creation of roads* before us as a State—is fully shown by the following table of projected works, all of them with enterprise and sagacity to urge them forward:

Railroads.	Miles.
The California and Oregon Railroad (about).....	220
The Colusa, Marysville and Nevada (about)	60
The Woodland and Red Bluff (about).....	110
The San Francisco and North Pacific (about).....	200
The Copperopolis Railroad (about).....	36
The Southern Pacific, to Colorado (about)	475
The San Joaquin Valley Railroad (about).....	660
The San Diego, Gila and Southern Pacific (about).....	180
Total	1,941

Here we have say nineteen hundred miles of railroad projected, part of it in active progress, and all so planned that it is thought another year will see work upon all. The length of the Central and Western Pacific Railroads in this State is about two hundred and eighty miles, of which some *sixty-six* miles are upon the heaviest grades, curves and works in the world, and are the beneficiary of the maximum legal rates, and yet it is mostly based upon the difficulties connected with that amount of road, that we have urged upon the State, in the bills before us, a radical change in the organic law under which *nineteen hundred* miles of road, mostly through our best valleys, are yet to be built, and designed to open up the great trunk trade channels of the State.

Again is attention drawn to the fact that the entire energy of the railroad companies has been devoted to *building* roads. So much so, that according to the evidence presented, not even a fair amount of attention *could*, until lately, be given to the proper segregation of construction and operating expenses; the innumerable details of setting up the embankments, trimming cuts, ballasting, perfecting masonry, replacing temporary wood work, perfecting alignment and drainage, have absorbed attention to such an extent, that the very details, accounts and records

of daily and monthly management and expenses, upon which alone a company can base a close system of tariffs, have been so blended with these construction expenses that companies have not yet any really intelligent data upon which to reduce their tariffs to a profitable minimum. The great load of construction is not yet shaken from the shoulders of the corporations building our roads. The country that is traversed is yet new, and except in limited portions, comparatively unpeopled and undeveloped, and no settled policy of supply or demand of business or traffic yet exists, upon which they can in any way closely calculate the margin between actual expenses and the legitimate profit required for the capital invested.

The State now possesses a railroad law under which some thirty millions of capital have already been actually expended here in railroads. Most of that has come from non-resident capitalists, men who are in the midst of vast enterprises and protected by laws which are never carelessly amended; men who are accustomed to see powerful and conclusive reasons given for any such change as the one here contemplated, in an organic law covering the stability, value and permanence of such an amount of capital invested as that noted, and it is proper to state here, that at the very period when the Central and Union Pacific roads were grappling with their most difficult work, and making expenditures enormous in extent to prove to the world that a grand continental road was a possibility, then the Government bonds loaned in assistance to the project were at their lowest value in the market, ranging from forty-five to fifty cents on the dollar; and hence, the amount of *cash* received from these loans was an inconsiderable part of the expenditures upon portions of the road, and yet the full gold par value of these bonds loaned to the companies are standing as a debt against them, and the interest account of which is a yearly charge which the companies must also pay.

It must be from the class of private capitalists that means will be drawn to build the great system of roads, as now actively projected. Nineteen hundred miles of road, averaging thirty-five thousand dollars a mile, amounts to fifty-nine and a half millions of dollars, invited to come here and build up our interests, to be largely put in circulation, and yet all of which is to be affected by this proposed amendment.

The State is even now severely suffering for the want of a proper amount of circulating capital to do the ordinary business of the day. There is no capital here that can be devoted to internal improvements; and railroads, which alone can so develop our resources that the State can be made prosperous, are asking, and trying to show cause for so doing, fifty-nine millions of dollars to come here and take our securities; to come here and revive our languishing interests by opening up an interior second to none in the world.

Is it wise or judicious to attempt now to amend our law, under which this mass of capital is sought, and that, too, based upon a state of facts from which it is yet impossible to prove injustice or extortions? Nineteen hundred miles of road! to run through our richest valleys and our most extensive timber fields, and to lead and direct population; to invite and facilitate the peopling of our State by the emigrants from the populations of Europe. And yet this must be done mostly by this borrowed capital—capital invited to come here for investment. The State, through its people and by its laws, endeavors to show capital that it will be profitable so to do; and yet, in the *face of this*, we contemplate what, to say the least, in a doubtful change of our law.

Each of the projects mentioned before, as building or to be built, has a mountain region to traverse, where, for a period at least, the present maximum of rates will be a necessity. The Oregon road must penetrate the Sierras and the Siskiyou Mountains; the Marysville and Nevada project will have, upon the east, heavy work and high grades; the Humboldt Bay road extends into a sparsely settled and mountainous country; the Copperopolis road runs partly into the steep foot-hills; the Southern Pacific road has two difficult ranges to cross; the San Joaquin Valley road has the difficult Tehachepa Pass, and then other very difficult ranges, in extending the line over the projected route to the Colorado River; the San Diego, Gila and Southern Pacific road must pass the very difficult chain of the San Diego Mountains, and in addition, except for about twenty miles, lie in a country non-producing.

These roads will be but the trunks, from which, at no distant day, numerous and necessary branches will be thrown, penetrating the rich foot-hills and mountains which, everywhere in this State, flank our great valleys. The inevitable mountainous character of many of these future feeder roads makes it imperative upon us to put no stumbling block in the way of their development, and to make the task no harder for the men who are doing so much to induce the capital that we need to come to this State for investment.

Now, the very existence of the projects specially noted, in the minds of the men of this State, shows that the entire energy of that portion of our people who are to build railroads here is directed and devoted to construction: to building up the State; to opening new channels and perfecting old ones; to developing that part of the State which nothing but a railroad ever will develop.

Any legislation directed to such an amendment as proposed of our general railroad law, will produce an effect far more general than the simple reduction of rates upon our mountain roads. It will present an absolute certainty that future mountain work, of which each enterprise noted possesses its share, must draw upon the valley portions for a part of its maintenance and expense. The close student of railway history cannot fail to see that in all cases the rates charged the public for services performed have been governed by the laws of trade and increase of population, and hence by the necessities of the roads themselves. No legislation, in any State, has been able to secure the just average of good to railways and their customers so effectually as the necessities and desires of companies to secure for their roads the greatest amount of business.

None know better than railroad companies that producers must have rates that will enable them to profitably market their productions, and in order to secure the maximum of traffic with the minimum expense of operating, such companies *always* arrange schedules which accomplish that object without legal interference.

The evidence produced before the committee was particularly exhaustive upon that point. It was shown that in all cases wherever a business, real or even prospective, would warrant it, that rates were reduced to foster and develop that business; that it has been considered better to help a producing enterprise to increase in capacity and wealth, so that the road should be benefited by its tribute, than to retain maximum rates and exclude production.

A system of classification is adopted in this State, as in the older States, by which all goods of whatever description bear a tariff of transportation corresponding to their value, character and amount of pro-

duction. And after a most careful consideration of the evidence presented, and also of the remedies suggested, the committee are of the opinion that in the misapprehension of the workings and necessities of this classification system lies much of the difficulty from which it is thought necessary to reach and to a radical change in the railroad law itself.

It was ascertained that a regular scale of prices is in force, in which the numerous cheap commodities bore corresponding rates, and ascending the scale as the products decreased in quantity and increased in positive value. So do the freight rates increase, until it is found that the maximum rates are charged only upon certain characters of goods, and that, too, only in limited quantity. Scales of prices are so arranged that the lumber, wood, ores and stone have only rates that they can bear and be transported profitably to the producer. Expensive merchandise upon limited portions of the roads retains the maximum rates. The character of the goods will bear such rates, and the amount produced and transported is so small and the liability for damage sustained so great, that it is imperative that such goods should sustain the maximum; reduced rates upon that class of goods would force an increase upon the lowest grades, for the general average *must be* maintained to produce a certain income. With the Central and Western Pacific Railroads we learned that so closely has this system of classification and graduation of rates according to quality of goods, amount transported, and difficulties overcome, been carried, that the grand average rate for all classes of goods, carried both ways, does not average over four cents per ton per mile over the entire road. And this average has been made up by the necessary and extremely low rates upon goods in great quantities, and the high rates upon valuable goods in limited quantity, and any forced reduction or arbitrary rate could not possibly attain the object desired so soon as the necessities of the road itself to develop business wherever it is possible to do so. It would be most obviously unwise in the State to fix lower maximum rates at this time, and force companies, in order to sustain the general average, to make additions to the mass of low grade freight, and develop a hardship which would be widespread and, perhaps, disastrous in its effect. It is the opinion of the committee that the range between the present maximum rates and the lowest rates adopted by the companies, is absolutely necessary to allow the companies to offer inducements to struggling industries and still have a margin of profitable business.

Comparisons with eastern roads are unprofitable and unsatisfactory; the conditions are in no respect similar; population is far greater there than here, the inducements to building roads are more numerous, the questions of labor and its cost are different, and the sources from which traffic is obtained are many times greater than can exist upon this coast for many years.

The difficulties encountered upon the Sierras are unequalled in all the world, and the committee are of the opinion that local circumstances alone should determine the desirability of any change in our law, and that no New York, Massachusetts or Pennsylvania reports should or could have any controlling influence upon the roads of California, until, at the least, it is provided by law that the same amount, character and detail of information be collected in this State, and upon which alone should any restrictive laws be passed.

A graduated scale of rates certainly is not objectionable as a principle, but the decisions of what the maximum rates shall be is a question of the

greatest importance and touching the very existence of all mountain portions of State roads. We can safely hazard the assertion, based upon reliable testimony given before the committee, that at the present rates and with the present population and development upon the portions of the Central Pacific Railroad between Colfax and Truckee, the *gross* amount of way business now done upon that division, considered as a unit, will not pay a fractional part of the interest upon the amount used in the construction of said portions. It is absolutely non-paying, from any local business.

The non-paying character of this part of the road of the Central Pacific is particularly exemplified by reference to the Placerville and Sacramento Valley Railroad, which occupies very nearly the position of entire segregation from any grand trunk. The absence of any feeders, the sparse populations, and the point that the road has *no producing terminus* in the country, creates a condition of affairs such that, even with the maximum rates of fare, the income derived rarely is sufficient to meet the current expenses; and it appears that, in some months, not enough is derived from the business of the road to pay the connecting company for the *mere use of its cars*; and this state of things, we are advised, has led the owners of said road to seriously consider the propriety of making application to this present Legislature for authority to cease operating the road, and to remove the iron. The management of the railroads in this State has lately assumed such a shape that full data regarding their workings will in future be obtained, and such, too, as will enable the companies and the State to obtain correct and detailed information, and which will show where and how changes, as far as affecting these roads, could be safely made in the law.

The close, calculating men of the East—men who have already sent their millions here, secured by our laws and our bonds—will behold the unusual and startling spectacle of a State making a radical change in a law, otherwise destined to bring millions of property here, *without any substantial data* upon which to justify such actions; making a change in the most sensitive and vital part of the system—that of finance—without the existence of one single report upon the actual difficulties, expenses, returns and details of the few roads now built. It will be an act of legislation widely important in its results, yet with no fully conceived cause—an act so radically different from the law under which every company now existing in the State has been and is appealing to capital to come and help us, that it must attract the alarmed attention of that very capital, and perhaps raise a question of good faith, on the part of the State, to corporations now existing. In all other States, elaborate and well authenticated data are collected, and upon which alone is there any legislation upon such questions.

The presentations of such action as here contemplated by the State, to the conservative capital centres of the world, at a time when our real railroad interests are yet in their incipency, when means and energy are almost exclusively devoted to *constructing* our roads, and when every plea is brought forward to show that capital can come here profitably, and while the State is in such vital need of that capital placed here in the very shape demanded by railroads, would produce the most violent shock to the high confidence now felt in the securities of the country, a shock of vastly greater influence in *retarding* the general development of our railroad interests than could be compensated by any local benefits obtained by reductions of the present necessary rates upon our mountain roads. And be it again noted that there will be more apprehensions

created in the minds of capitalists on account of the passage of such a law *at this period in the railroad history of this State, with no developed system or data upon which to fully base such legislation*, than by the limited and questionable advantages derived by the proposed reduction of our present rates. These men of capital are fully as much interested as our own citizens, and to them it would appear particularly inexplicable, inasmuch as the very youth of the oldest of our roads, and the circumstances and demands attending the constructions, have absolutely precluded the collecting, classifying and digesting of that class of data which alone could reach to the point of dispute.

We are now brought to a course of remedy. What must be done to fully protect the public, to guarantee safety to capital, and to secure a proper return to the money invested? Here we can most profitably seek the evidence from other States; and in the State of New York, for instance, there is an elaborate and exhaustive provision for the annual report to the State Engineer and Surveyor, by every road in the State, of the fullest details relating to such road, embodying every point, from the amount of capital invested to the expense of renewing and sustaining every section of the road; the amount of freight carried and what it cost to do it; the total liabilities and the full resources for meeting them. Having provided a mandatory course by which the Legislature can be properly *informed* upon every essential point upon which any interference with the financial portion of the system can be based, then, and not until then, does the law provide, by other following sections, that reductions can be made in rates, if it shall appear that a certain income is assured to the company. (From the New York Railroad Law.)

“Section 33. The Legislature may, when any such railroad shall be opened for use, from time to time alter or reduce the rate of freight, fare or other profits upon such road; but the same shall not, *without the consent* of the corporation, be so reduced as to produce, with said profits, less than ten per cent. per annum on the capital actually expended, nor unless, on an examination of the amounts received and expended, to be made by the State Engineer and Surveyor and Controller, they should ascertain that the net income derived by the company, from all sources, for the year then last past, shall have exceeded an annual income of ten per cent. upon the capital of the corporations actually expended.”

The laws of Congress, which gave life to the great overland railroad, and the provisions of which this State indorsed by special enactment, also provides that only after there shall be an assured income of ten per cent. upon expenditures shall Congress interfere in questions of rates.

It is seen that this New York law cited prescribes that the information, which this State so much needs at this time, shall be compiled and published from sworn annual statements from the companies. A means is provided for *seeing* out of the difficulties; which done, the State then assumes a jurisdiction based upon the reports of the companies themselves.

In view of the non-existence of any law under which railroad companies are protected from changes in the law under which they exist, until at least they are assured of a certain net income, and in view of

the fact that there is nothing yet prescribed by and through which a sufficient amount of facts relating to the business of roads can be obtained; and believing that before it is just to legislate upon questions of this gravity, we should at least provide that the business interests of corporations shall be secured from undue restrictions, and that we should also provide for the collecting and classifying of elaborate reports from all railroads in the State, upon which we could form an intelligent idea of the exact bearing of a question of this kind upon our most vital interests.

The committee conclude that it is unnecessary and inexpedient to recommend any change in the railroad law of the State, and therefore recommend that the bills under consideration do not pass; and for the reasons hereinbefore stated, and to supply a means of judging in the future upon all matters connected with the railroad interests of the State, the committee submit the accompanying substitute, providing for the detailed and annual reports to a State officer, upon matters connected with the business of the roads, and recommend that it pass in lieu of the bills hereinbefore noted.

J. L. ROMER, Chairman.

REPORT

OF THE

Committee on Commerce and Navigation,

RELATIVE TO THE

EXPORTATION OF CALIFORNIA PRODUCTS

FREE OF PORT CHARGES.

D. W. GELWICKS.....STATE PRINTER.

REPORT.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly resolution instructing them to inquire into the expediency of setting aside a portion of the State's tide lands in San Francisco, for carrying out a system by which California products may be shipped free of port charges, beg leave to report the accompanying bill for an Act entitled an Act to promote the farming interests of this State and to provide for the exportation of California produce free of port charges, and recommend its passage.

Your committee, desiring to be brief, will simply say that a partial examination of the subject matter of your resolution of instruction satisfied them of the great importance of the question under consideration. But when we had made as thorough an investigation as the limited data at our command would enable us, your committee was astonished at the result; and after making great allowance, and giving a large margin for errors of both data and calculation, they feel abundantly assured that the sum total which the passage of this bill will annually save to the producing class of this State cannot fall under one-fourth of a million dollars, as will be more fully shown by reference to the accompanying statistical papers, herewith submitted.

The immediate necessity and propriety of securing, by some means, a system by which free dockage and free wharfage shall be accorded to California products at the port of San Francisco, is apparent to every one, and is demanded alike by considerations of public policy and justice to the heavily burdened agricultural, horticultural and vinticultural interests of the State. And realizing fully the difficulties that lie in the way of the State engaging in the enterprise and doing the work itself, your committee suggest and earnestly recommend that the Farmers' Dock and Wharf Company, a corporation duly organized under the laws of this State, be enabled, by the passage of the accompanying bill, to do the work. All of which is respectfully submitted.

ROCKWELL, Chairman,
For Committee.

STATISTICAL TABLES.

The following is an approximate estimate of California products arriving annually at the port of San Francisco and exported therefrom, with dock and wharf charges thereon, dockage being estimated at one-half the wharfage :

Annual receipts.	Wharfage.	PRODUCTS.	Annual exports.	Wharfage.
225,000 tons.	\$63,750	Wheat.....(C. H.)	200,000 tons.	\$50,000
30,000 tons.	7,500	Barley.....(C. H.)	10,000 tons.	2,500
15,000 tons.	3,750	Oats.....(C. H.)	2,500 tons.	625
5,000 tons.	1,250	Corn.....(E.)	1,000 tons.	250
40,000 tons.	10,000	Hay.....(C. H.)	1,000 tons.	250
37,500 tons.	9,375	Potatoes.....(C. H.)	10,000 tons.	2,500
3,600 tons.	900	Beans.....(C. H.)	1,000 tons.	250
3,600 tons.	900	Hops and broom corn.....(E.)	1,000 tons.	250
40,000 tons.	10,000	Beets, carrots, tomatoes, parsnips, peas, cabbages, melons, squashes, etc....(E.)	500 tons.	125
10,000 tons.	2,500	Butter and cheese.....(E.)	500 tons.	125
6,000,000 gals.	22,500	Brandy, 400,000; wine, 7,000,000 (C. H.)	4,000,000 gals.	15,000
20,000 tons.	5,000	Fruits, dried and fresh.....(E.)	500 tons.	125
6,000 tons.	1,500	Beef, mutton and pork.....(E.)		
12,000 tons.	3,000	Poultry and eggs.....(E.)		
7,500 tons.	1,875	Wool.....(C. H.)	4,000 tons.	1,000
168,000	820	Hides.....(C. H.)	One-half.	410
Wharfage...	\$144,620		Wharfage....	\$73,410

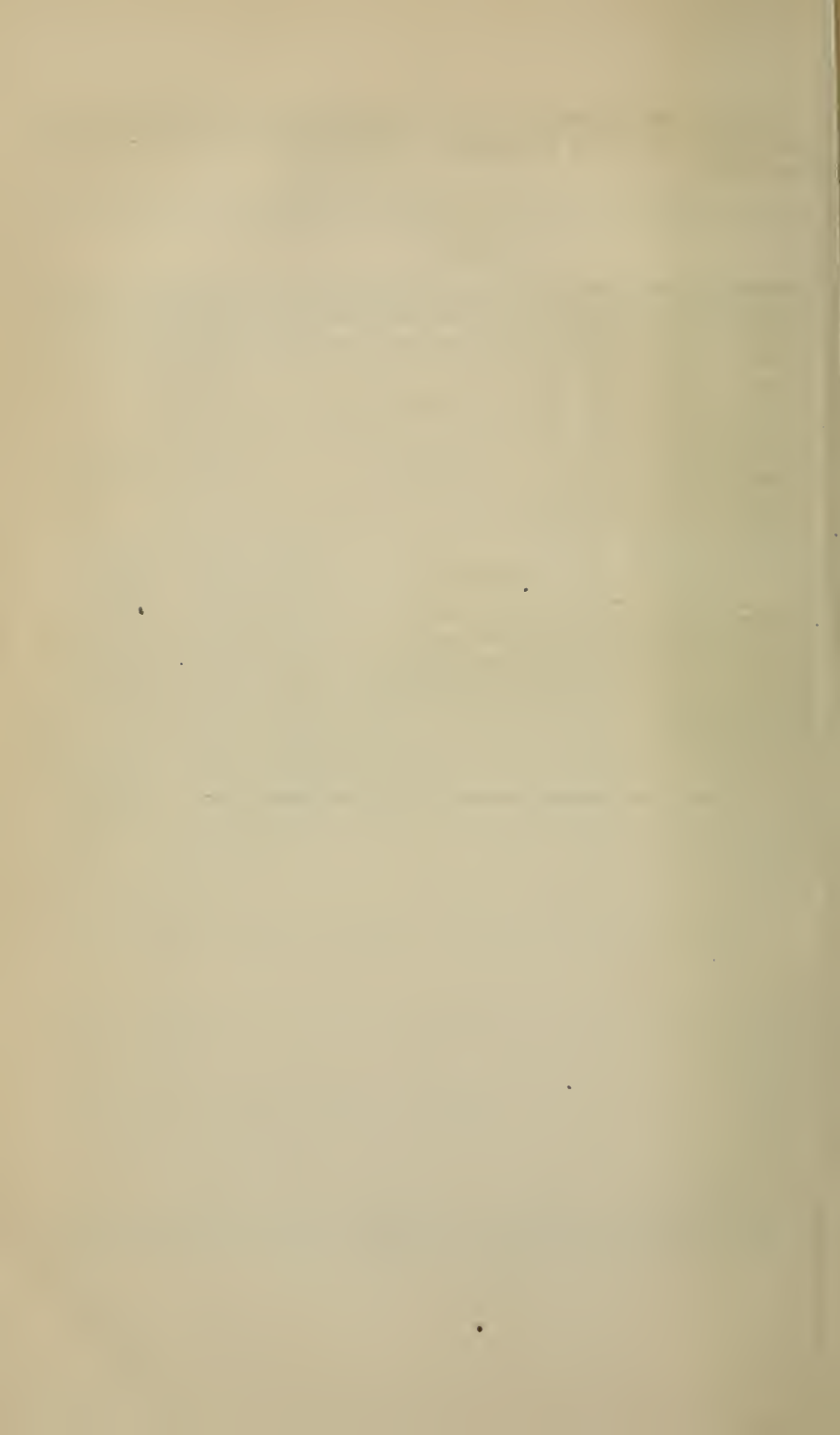
NOTE.—C. H., taken from Commercial Herald. E., amount as estimated by committee.

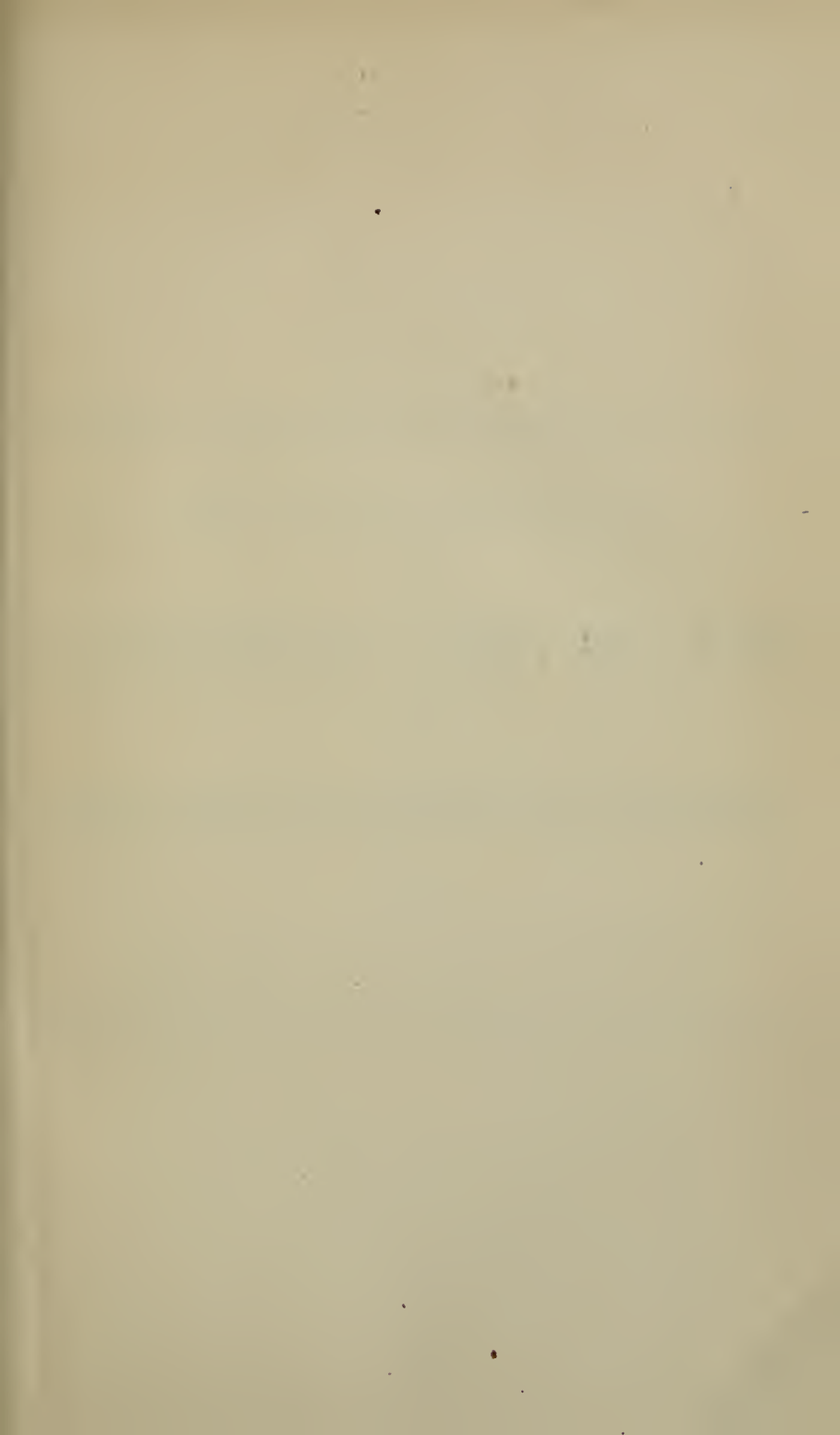
Wharfage on imports.....	\$144,620
Wharfage on exports.....	73,410
Total wharfage.....	\$218,030
Dockage estimated at one-half the amount of wharfage.....	109,015
Total dockage and wharfage.....	\$327,045

Your committee believe there are no estimates approximating to accuracy, that can reduce the dockage and wharfage of the above named California products below *two hundred and fifty thousand dollars annually*.

Dockage and wharfage at San Francisco, as furnished by the well known firm of George Howes & Co., for *each* day the vessel may lie at the wharf:

DOCKAGE.		
Vessels 150 to 200 tons.....		\$10 00
Vessels 200 to 300 tons.....		15 00
Vessels 300 to 400 tons.....		17 50
Vessels 400 to 600 tons.....		22 50
Vessels 600 to 800 tons.....		25 00
Vessels 800 to 1,000 tons.....		28 00
Vessels 1,000 to 1,250 tons.....		34 00
Vessels 1,250 to 1,500 tons.....		41 00
Vessels 1,500 to 1,750 tons.....		49 00
Vessels 2,000 to 2,500 tons.....		56 00
Vessels 2,500 tons and over.....		60 00
WHARFAGE.		
Vehicles drawn by one animal, each		25
Vehicles drawn by two animals, each.....		50
Vehicles drawn by four animals, each.....		1 00
Cattle or horses for transportation, each.....		10
Sheep or hogs.....		03
Extra vehicle.....		25
Hand carts.....		10





STATEMENT

OF THE

CONDITION AND WANTS

OF THE

PUBLIC SCHOOL DEPARTMENT OF SAN FRANCISCO,

BY A

COMMITTEE OF THE BOARD OF EDUCATION.

D. W. GELWICKS.....STATE PRINTER.

STATEMENT OF THE CONDITION AND WANTS
OF THE
PUBLIC SCHOOL DEPARTMENT OF SAN FRANCISCO,

BY A COMMITTEE OF THE BOARD OF EDUCATION.

To the Honorable San Francisco Delegation in Legislature, and citizens generally :

The undersigned, a committee appointed by the Board of Education to prepare a statement of the condition and wants of the public schools, beg leave to present the following facts for your careful consideration. These statistics have been carefully compiled from the records of the department, and the sixteenth annual report of the Superintendent of Common Schools, and can be relied upon as correct :

STATEMENT.

We have given especial attention to the elucidation of facts showing the condition of the department and the manner of its being carried on. To the taxpayers and patrons, from whom alone we can ask assistance, belongs the right of demanding at any time an account of our stewardship ; and this is the more freely given when we know that a good cause can only gain the good will of the community the more its affairs are fairly and honestly discussed. We are willing, at any and all times, to have our conduct in reference to the department open to the criticism of the public, knowing full well that it can only redound to its welfare.

Since the organization of the city government, we believe no department of its administration can, as a whole, present a better record than that department which has had the responsible trust and management of its public schools. Our School "Trustees" and "Boards of Education" have, as a rule, been selected from our oldest and very best citizens, and they have generally conducted our school affairs economically and wisely. We do not, of course, deny that there may have been exceptions to this, as there are to all human rules. But if San Francisco has ever had or still has anything within her borders to which she has especially looked, and may now point with just pride, undeniably, it has been, and is still, her system of public schools. The public

school system—the most sacred trust of freedom and good government, best calculated to advance the highest interests and permanent prosperity of our city—must be sustained; not diminished, but increased in its efficiency.

GENERAL STATISTICS.

The whole number of youth in the city, under fifteen years of age, according to the school census report of 1869, was...	41,488
The number of children in the city between five and fifteen years of age, who are entitled by law to draw public money, is.....	25,785
(Of this number 19,885 have, sometime during the year, attended the public schools, and have received the benefits of a free education)	
The average number of pupils belonging to the public schools during the whole year was.....	14,134

To educate this large number of youth fifty-one schools have been established, which now constitute the Public School Department of San Francisco, viz: one boys' High and Latin School—six teachers and one hundred and forty-two students; one girls' High and Normal School—seven teachers and one hundred and eighty pupils; ten grammar schools—one hundred and twenty-six teachers and six thousand two hundred and seventy-four pupils; twenty-seven primary schools—one hundred and sixty-three teachers and eight thousand seven hundred and forty-eight pupils; three ungraded and mixed schools—twenty-nine teachers and one thousand three hundred and seventy-nine pupils; seven evening schools—twenty-two teachers and nine hundred and forty-three pupils; one colored school—two teachers and ninety-seven pupils; and one Chinese school—one teacher and thirty seven pupils; making, in all, fifty-one public schools, requiring three hundred and sixty-one teachers, including the special teachers for drawing, music, penmanship, etc.

The classes of the primary and grammar schools are divided into ten grades, requiring eight years to complete the present course of study—four years in the primary and four years in the grammar departments—so that pupils entering at six years of age can graduate at fourteen, well prepared (so far as practical school education can fit them) to enter upon the practical cares and business occupations of life. Those who wish to obtain a more advanced and finished education can complete the course of study in the high schools, which will require three years, until they are seventeen years of age, when each student will be fitted to enter the University, or to commence professional studies.

REPORT OF PUBLIC SCHOOLS.

The following report of each of the public schools, for the school year eighteen hundred and sixty-eight and eighteen hundred and sixty-

nine, will give a complete exhibit of the number of teachers employed, the attendance of the pupils, and the expense of tuition, based upon the teachers' and janitors' salaries :

BOYS' HIGH SCHOOL.

Location, east side Powell street, near Clay. Teachers, six; pupils registered, one hundred and thirty-four; average attendance, 113.7; percentage of attendance, .990; number to each teacher, twenty-two and seven-tenths; monthly tuition of each pupil, six dollars and fifty-four cents.

GIRLS' HIGH SCHOOL.

Location, southeast corner of Bush and Stockton streets. Teachers, seven; pupils registered, one hundred and thirty-eight; average attendance, 118.8; percentage of attendance, .976; number to each teacher, twenty-three and four-fifths; monthly tuition of each pupil, five dollars and forty-two cents.

NORMAL TRAINING SCHOOL.

Location, south side Market street, near Fifth. Teachers, two; pupils registered, two hundred and seventeen; average attendance, 188.7; percentage of attendance, .941; monthly tuition of each pupil, one dollar and twelve cents.

CITY TRAINING SCHOOL.

Location, east side Stockton street, near Bush street. Teachers, four; pupils registered, three hundred and fourteen; average attendance, 264; percentage of attendance, .936; monthly tuition of each pupil, one dollar and fifteen cents.

LINCOLN GRAMMAR SCHOOL.

Location, east side Fifth street, near Market. Teachers, twenty-two; pupils registered, one thousand two hundred and seventy-nine; average attendance, 1,011.2; percentage of attendance, .943; number to each teacher, forty-nine and three-twentieths; monthly tuition of each pupil, one dollar and eighty-four cents.

DENMAN GRAMMAR SCHOOL.

Location, northwest corner of Bush and Taylor streets. Teachers, sixteen; pupils registered, seven hundred and twenty-seven; average attendance, 664.3; percentage of attendance, .944; number to each teacher, forty-one and seven-tenths; monthly tuition of each pupil, one dollar and eighty-nine cents.

RINCON GRAMMAR SCHOOL.

Location, Vassar Place, leading from Harrison street, Second and Third streets. Teachers, thirteen; pupils registered, five hundred and ninety-nine; average attendance, 555.5; percentage of attendance, .953; number to each teacher, thirty-nine and three-fifths; monthly tuition of each pupil, two dollars and twenty-two cents.

BROADWAY GRAMMAR SCHOOL.

Location, north side Broadway, between Powell and Mason streets. Teachers, twelve; pupils registered, five hundred and fifty-one; average attendance, 515.8; percentage of attendance, .932; number to each teacher, forty-seven; monthly tuition of each pupil, one dollar and ninety-five cents.

SOUTH COSMOPOLITAN GRAMMAR SCHOOL.

Location, north side Post street, between Dupont and Stockton streets. Teachers, ten; pupils registered, three hundred and seventy-three; average attendance, 357.8; percentage of attendance, .943; number to each teacher, forty-four and seven-tenths; monthly tuition of each pupil, two dollars and twenty-four cents.

UNION GRAMMAR SCHOOL.

Location, north side Union street, between Montgomery and Kearny streets. Teachers, ten; pupils registered, five hundred and thirty-eight; average attendance, 400.6; percentage of attendance, .932; number to each teacher, forty-four and one-half; monthly tuition of each pupil, two dollars and nineteen cents.

WASHINGTON GRAMMAR SCHOOL.

Location, southwest corner of Mason and Washington streets. Teachers, nine; pupils registered, three hundred and forty-six; average attendance, 304.4; percentage of attendance, .945; number to each teacher, forty-three and one-half; monthly tuition of each pupil, two dollars and fifty-five cents.

SPRING VALLEY GRAMMAR SCHOOL.

Location, south side Broadway, between Larkin and Polk streets. Teachers nine; pupils registered, four hundred and sixty-seven; average attendance, 385; percentage of attendance, .932; number to each teacher, forty-eight and one-tenth; monthly tuition of each pupil, two dollars and thirteen cents.

MISSION GRAMMAR SCHOOL.

Location, west side Mission street, between Fifteenth and Sixteenth streets. Teachers, thirteen; pupils registered, five hundred and ninety-four; average attendance, 501.4; percentage of attendance, .940; number to each teacher, fifty and one-tenth; monthly tuition of each pupil, one dollar and ninety-two cents.

SHOTWELL STREET GRAMMAR SCHOOL.

Location, east side Shotwell street, between Twenty-second and Twenty-third. Teachers, twelve; pupils registered, five hundred and seventy-four; average attendance, 472; percentage of attendance, .930; number to each teacher, forty-seven and one-fifth; monthly tuition of each pupil, one dollar and eighty cents.

NORTH COSMOPOLITAN SCHOOL.

Location, north side Filbert street, between Jones and Taylor streets. Teachers, twelve; pupils registered, eight hundred and four; average attendance, 679.8; percentage of attendance, .930; number to each teacher, forty-two and one-fifth; monthly tuition of each pupil, one dollar and sixty cents

TENTH STREET SCHOOL.

Location, west side Tenth street, between Howard and Folsom. Teachers, twelve; pupils registered, five hundred and thirteen; average attendance, 377.8; percentage of attendance, .897; number to each teacher, fifty-four; monthly tuition of each pupil, one dollar and fifty-five cents.

TEHAMA PRIMARY SCHOOL.

Location, south side Tehama street, near First. Teachers, seventeen; pupils registered, eight hundred and eighty-six; average attendance, 811.5; percentage of attendance, .938; number to each teacher, fifty and seven-tenths; monthly tuition of each pupil, one dollar and fifty-two cents.

LINCOLN PRIMARY SCHOOL.

Location, southeast corner of Market and Fifth streets. Teachers, thirteen; pupils registered, seven hundred and nineteen; average attendance, 658.4; percentage of attendance, .925; number to each teacher, fifty-four and nine-tenths; monthly tuition of each pupil, one dollar and forty-three cents.

FOURTH STREET PRIMARY SCHOOL.

Location, northwest corner of Fourth and Clary streets. Teachers, eleven; pupils registered, five hundred and fifty-four; average attendance, 502; percentage of attendance, .921; number to each teacher, fifty and two-tenths; monthly tuition of each pupil, one dollar and sixty-one cents.

SOUTH COSMOPOLITAN PRIMARY SCHOOL.

Location, north side Post street, between Dupont and Stockton streets. Teachers, ten; pupils registered, five hundred and twenty-seven; average attendance, 475; percentage of attendance, .930; number to each teacher, fifty-two and eight-tenths; monthly tuition to each pupil, one dollar and forty-six cents.

MASON STREET COSMOPOLITAN SCHOOL.

Location, east side Mason street, between Post and Geary streets. Teachers, six; pupils registered, two hundred and fifty; average attendance, 198.7; percentage of attendance, .923; number to each teacher, forty-nine and seven-tenths; monthly tuition of each pupil, one dollar and fifty-seven cents.

GEARY STREET COSMOPOLITAN SCHOOL.

Location, south side Geary street, between Stockton and Powell. Teachers, four; pupils registered, one hundred and ninety-nine; average

attendance, 172.9; percentage of attendance, .939; number to each teacher, fifty-four and nine-tenths; monthly tuition of each pupil, one dollar and twenty-three cents.

POWELL STREET PRIMARY SCHOOL.

Location, west side Powell street, between Jackson and Washington. Teachers, eight; pupils registered, five hundred and seventeen; average attendance, 439; percentage of attendance, .928; number to each teacher, fifty-four and nine-tenths; monthly tuition of each pupil, one dollar and thirty-five cents.

UNION PRIMARY SCHOOL.

Location, northwest corner of Filbert and Kearny streets. Teachers, nine; pupils registered, four hundred and seventy-two; average attendance, 364; percentage of attendance, .913; number to each teacher, fifty-two; monthly tuition of each pupil, one dollar and sixty-four cents.

MISSION STREET PRIMARY SCHOOL.

Location, south side Mission street, between Fifth and Sixth. Teachers, five; pupils registered, three hundred and nine; average attendance, 253.9; percentage of attendance, .932; number to each teacher, fifty and one-fifth; monthly tuition of each pupil, one dollar and forty-four cents.

PINE AND LARKIN STREET PRIMARY SCHOOL.

Location, southwest corner of Pine and Larkin streets. Teachers, thirteen; pupils registered, five hundred and seventy-one; average attendance, 465.2; percentage of attendance, .884; number to each teacher, forty-two and three-tenths; monthly tuition of each pupil, one dollar and seventy-four cents.

EIGHTH STREET PRIMARY SCHOOL.

Location, east side Eighth street, between Harrison and Bryant streets. Teachers, eleven; pupils registered, six hundred and eight; average attendance, 514; percentage of attendance, .931; number to each teacher, fifty-one and two-fifths; monthly tuition of each pupil, one dollar and fifty-five cents.

BRYANT STREET PRIMARY SCHOOL.

Location, north side of Bryant street, between Third and Fourth. Teachers, six; pupils registered, three hundred and fifty-seven; average attendance, 298.5; percentage of attendance, .932; number to each teacher, forty-nine and four-fifths; monthly tuition of each pupil, one dollar and thirty-seven cents.

HAYES VALLEY PRIMARY SCHOOL.

Location, north side Grove street, between Larkin and Polk streets. Teachers, five; pupils registered, two hundred and ninety-two; average attendance, 256.5; percentage of attendance, .924; number to each

teacher, fifty-one and three-tenths; monthly tuition of each pupil, one dollar and forty-three cents.

SPRING VALLEY PRIMARY SCHOOL.

Location, south side Union street, between Franklin and Gough. Teachers, four; pupils registered, two hundred and eighty-two; average attendance, 153.2; percentage of attendance, .885; number to each teacher, thirty-eight and three-tenths; monthly tuition of each pupil, one dollar and seventy-seven cents.

DRUMM STREET PRIMARY SCHOOL.

Location, northeast corner of Sacramento and Drumm streets. Teachers, three; pupils registered, one hundred and fifty-two; average attendance, 118.1; number to each teacher, thirty-nine and three-tenths; monthly tuition of each pupil, one dollar and eighty-eight cents.

POTRERO SCHOOL.

Location, southwest corner of Kentucky and Napa streets. Teachers, two; pupils registered, eighty-eight; average attendance, 69.2; percentage of attendance, .918; number to each teacher, thirty-four; monthly tuition of each pupil, one dollar and ninety-one cents.

PINE STREET SCHOOL.

Location, north side Pine street, between Scott and Devisadero. Teachers, two; pupils registered, thirty-six; average attendance, 65.6; percentage of attendance, .920; number to each teacher, thirty-two and four-fifths; monthly tuition of each pupil, two dollars and two cents.

TYLER STREET SCHOOL.

Location, north side Tyler street, between Pierce and Scott. Teachers, four; pupils registered, one hundred and forty-six; average attendance, 103.3; percentage of attendance, .924; number to each teacher, thirty-four; monthly tuition of each pupil, two dollars and eight cents.

WEST END SCHOOL.

Location, near Six Mile House. Teachers, one; pupils registered, seventy-two; average attendance, 31.9; percentage of attendance, .766; monthly tuition of each pupil, two dollars and ten cents.

SAN BRUNO SCHOOL.

Location, San Bruno Road, near Toll Gate. Teachers, two; pupils registered, fifty-seven; average attendance, thirty-eight; percentage of attendance, .883; monthly tuition of each pupil, two dollars and twenty cents.

OCEAN HOUSE SCHOOL.

Location, near Ocean House. Teachers, one; pupils registered, twenty-three; average attendance, 18.8; percentage of attendance, .863; monthly tuition of each pupil, one dollar and forty-one cents.

FAIRMOUNT SCHOOL.

Location, Fairmount Tract. Teachers, two; pupils registered, sixty-nine; average attendance, 42.4; percentage of attendance, .857; monthly tuition of each pupil, two dollars and thirteen cents

SOUTH SAN FRANCISCO SCHOOL.

Location, South San Francisco, near Railroad Avenue. Teachers, three; pupils registered, thirty-nine; average attendance, 36.2; percentage of attendance, .924; monthly tuition of each pupil, two dollars and twenty-one cents.

COLORED SCHOOL.

Location, northeast corner of Vallejo and Taylor streets. Teachers, two; pupils registered, sixty-eight; average attendance, 25.6; percentage of attendance, .865; monthly tuition of each pupil, four dollars and twenty-six cents.

CHINESE SCHOOL.

Location, north side Powell street, between Jackson and Washington streets. Teachers, one; pupils registered, fifty-two; average attendance, 29.5; percentage of attendance, .654; monthly tuition of each pupil, two dollars and seventy-one cents.

SPECIAL TEACHERS.

Number of teachers of music, three; number of teachers of drawing, two.

SCHEDULE OF SALARIES

For school year 1869-70.

No.	SCHOOLS.	Salary per month.	Salary per annum.	Totals.
BOYS' HIGH SCHOOL.				
1	Principal.....	\$250 00	\$3,000 00	\$11,400 00
4	Assistants, each.....	150 00	7,200 00	
1	Assistant.....	100 00	1,200 00	
GIRLS' HIGH SCHOOL.				
1	Principal.....	208 33	2,500 00	9,460 00
2	Assistants, each.....	100 00	2,400 00	
4	Assistants, each.....	95 00	4,560 00	
CITY TRAINING SCHOOL.				
1	Principal.....	100 00	1,200 00	3,630 00
3	Assistants, each.....	67 50	2,430 00	
GRAMMAR SCHOOLS.				
10	Grammar masters, each.....	175 00	21,000 00	91,720 00
8	Sub-masters, each.....	125 00	12,000 00	
1	General assistant.....	100 00	1,200 00	
9	Head assistants, each.....	83 33	9,000 00	
1	Assistant, teaching first grade.....	83 33	1,000 00	
12	Assistants, teaching second grade, each	75 00	10,800 00	
40	Assistants, each.....	70 00	33,600 00	
2	Prob. teachers, first grade, each.....	55 00	1,320 00	
3	Prob. teachers, second grade, each.....	50 00	1,800 00	
MIXED SCHOOLS.				
3	Principals, each.....	125 00	4,500 00	32,690 00
1	General assistant.....	100 00	1,200 00	
1	Head assistant.....	83 33	1,000 00	
6	Assistants, each.....	70 00	5,040 00	
5	Assistants, each.....	67 50	4,050 00	
5	Prob. teachers, first grade, each.....	55 00	3,300 00	
6	Prob. teachers, second grade, each.....	50 00	3,600 00	
PRIMARY SCHOOLS.				
9	Principals, each.....	100 00	10,800 00	159,420 00
8	Principals, each.....	85 00	8,460 00	
8	Principals, each.....	75 00	7,200 00	
126	Assistants, each.....	67 50	102,060 00	
20	Prob. teachers, first grade, each.....	55 00	13,200 00	
30	Prob. teachers, second grade, each.....	50 00	18,000 00	
EVENING SCHOOLS.				
1	Principal.....	60 00	720 00	15,320 00
21	Assistants, each.....	50 00	12,600 00	
COLORED SCHOOL.				
1	Principal.....	100 00	1,200 00	2,010 00
1	Assistant.....	67 50	810 00	
CHINESE SCHOOL.				
1	Principal.....	75 00	900 00	900 00
SPECIAL TEACHERS.				
3	Music teachers, each.....	150 00	5,400 00	9,000 00
2	Drawing teachers, each.....	150 00	3,600 00	
				\$325,550 00

FINANCIAL REPORT

For the school year ending June 30th, 1869.

The following financial report for the school year ending June thirtieth, eighteen hundred and sixty-nine, will show the expenditure which San Francisco has incurred to educate this large army of nearly twenty thousand youth of our city :

SCHOOL FUND—1868-69.

RECEIPTS.	
Cash on hand from School Fund of 1867-68.....	\$76 82
From taxes	347,104 93
From poll tax	2,186 25
From dog tax	1,226 00
From State apportionment.....	65,039 95
From school exhibitions.....	716 25
From rent of school property.....	183 50
From sale of old building material.....	21 75
Total receipts	<u>\$416,555 40</u>
DISBURSEMENTS.	
<i>Audited demands upon the School Fund, 1868-69.</i>	
Teachers' salaries.....	\$271,567 09
Janitors' salaries	18,011 85
Marshals and insurance	257 15
Clerk and carpenter.....	2,955 00
Lights	960 20
Water.....	156 00
Books and supplies	10,947 93
Rents	7,224 85
Fuel.....	4,092 26
Incidentals.....	2,322 75
Furniture	94 75
Repairs	227 45
Improvement of lots.	211 00
Total yearly expense of the public schools.....	<u>\$319,028 28</u>
Transfers to Sinking and Interest Funds of school bonds.....	\$45 630 50
Amount drawn from the School Funds of the present year to pay the deficiency of 1867-68	34,554 34
Total expense of conducting the public schools	319,028 28
Total disbursements for 1868-69.....	<u>\$400,213 12</u>
Balance to be transferred to the School Fund of 1869-70...	\$16,342 33

CONDITION OF THE GENERAL SCHOOL FUND

For the present year, 1869-70.

The following is the estimate of the probable receipts and disbursements for the fiscal year eighteen hundred and sixty-nine and eighteen hundred and seventy, as per report of the Finance Committee, of July, eighteen hundred and sixty-nine:

RECEIPTS.	
From city and county taxes, estimating the school tax on \$95,000,000 at 35 cents on each \$100.....	\$332,500 00
From State apportionment (estimate of State Superintendent).....	75,000 00
From all other sources	5,000 00
Total	\$412,500 00
To which add cash in treasury June 30th, 1869.....	16,342 33
Total	\$428,842 33
DISBURSEMENTS	
<i>For the current expenses of conducting public schools for the fiscal year 1869-70.</i>	
Teachers' salaries (estimated).....	\$320,000 00
Janitors' salaries (estimated).....	21,000 00
Census Marshals (estimated).....	2,000 00
Secretary and carpenter (fixed).....	3,600 00
Lights (estimated).....	1,000 00
Water (estimated)	200 00
Books and supplies (estimated).....	12,000 00
Rents (estimated).....	15,000 00
Fuel (estimated).....	5,000 00
Incidentals.....	2,502 33
Total current expenses.....	\$382,502 33
Transfer to the Interest and Sinking Fund of school bonds	46,340 00
Total	\$428,842 33
Total revenue.....	\$428,842 33
Total disbursements.....	428,842 33

The receipts for the year are based upon an estimate of the City and County Auditor and Assessor, that the taxable property will amount to ninety-five million dollars. Judging from the general ratio of increase of real estate for the last few years, we think that taxes will be collected on fully this amount of property.

In this statement, we transferred forty-six thousand three hundred

and forty dollars to provide for the redemption and payment of the interest on school bonds which have been issued by former Boards, for building purposes. The interest and payment of these bonds should form no part of the current expenses of the School Department. The Legislature should, therefore, provide for this item of expenditure from a General Sinking Fund of the city. It makes the yearly expenses of the public schools appear larger than they really are.

This report of the Finance Committee has been adopted by the Board of Education, and, according to an Act of the last Legislature, it is now a law which is binding upon the Auditor, Treasurer and every member of the School Department.

In this estimate, ample provision has been made for meeting the current expenses of the department for the year, but owing to the very large increase in the attendance of the schools, every dollar of income to the General Fund has necessarily been appropriated to keep the schools open during the year. The Board of Education has, therefore, been compelled to appropriate most of the Building Fund for repairs and improvements upon the buildings owned and rented by the department. This heavy tax upon the Building Fund, in addition to the amount expended in the erection of the Girls' High and Normal School, and the new school house at South San Francisco, will leave a deficit of thirty thousand three hundred and ninety-four dollars and twenty-three cents, as will appear from the following report of the Building Fund for the present fiscal year:

ESTIMATED RECEIPTS OF THE BUILDING FUND

For the fiscal year 1869-70.

From building tax on \$95,000,000, at 5 cents on every \$100 valuation.....	\$47,500 00
Cash, balance from the Building Funds of last year.....	14,429 28
Total	<u>\$61,929 20</u>
DISBURSEMENTS FOR THE FIRST HALF YEAR,	
<i>For the purchase of school lots, building, repairs and improvements.</i>	
Furniture and supplies.....	\$11,217 29
Repairs, carpenters' wages, lumber, hardware, etc.....	12,227 72
Purchase of lot, South San Francisco.....	2,000 00
Erection of South San Francisco School building.....	12,775 00
Payments on account of contracts for erection of Girls' High School building (contract price \$26,390).....	13,500 00
Moving colored school.....	2,300 00
Improvements on Washington Street School.....	2,191 75
Payment made to William Craine for services as architect.....	1,620 00
Total	<u>\$57,831 76</u>

ESTIMATES--Continued.

Estimated revenue of the School Building Fund for 1869-70		\$61,929 28
Disbursements for the first half of year.....	\$57,831 76	
Amount due on Girls' High School building...	12,890 00	
Demands presented not yet paid.....	1,601 75	
Estimated expenditures for furniture, repairs, etc, for second half of year.....	20,000 00	
		92,323 51

As the revenue in this fund is only sixty-one thousand nine hundred and twenty-nine dollars and twenty-eight cents, and the actual and anticipated expenditures ninety-two thousand three hundred and twenty-three dollars and fifty-one cents, there will consequently be a deficit of thirty thousand three hundred and ninety-four dollars and twenty-three cents

According to the foregoing exhibit, there is already a deficit of ten thousand three hundred and ninety-four dollars and thirty-three cents for the first half year, and, according to the estimates of the Finance Committee, the deficit for the entire year will amount to at least thirty thousand dollars. Funds must be provided, as soon as possible, to pay the liabilities which the Board has already been obliged to incur, to accommodate the rapidly increasing number of pupils demanding admission to our schools, and also to provide furniture and keep the buildings in repair during the remainder of the school year.

DEFICIT

In the Sinking Fund for redemption of school bonds of 1860.

During the year eighteen hundred and sixty the Legislature authorized the Board of Education to issue seventy-five thousand dollars of school bonds, payable in fifteen years or sooner, at the option of the Board of Education. The Board of Education decided to make these bonds payable in ten years, which will be on the first of March, eighteen hundred and seventy. This Act provided an annual Sinking Fund of five thousand dollars for the redemption of these bonds, which in ten years would only amount to fifty thousand dollars, thus leaving a deficit of twenty-five thousand dollars in the Sinking Fund, for their redemption, in eighteen hundred and seventy. According to the report of the City Treasurer, this amount has been considerably reduced by the interest accruing from the money loaned to the credit of the Sinking Fund, so that the real deficit will only be seventeen thousand two hundred and fifty-six dollars and twenty-nine cents. This sum must be provided for by the Legislature, as it will be impossible to make any further transfer from the General School Fund, without closing the public schools for a portion of the year—a calamity the idea of which ought not to be tolerated for a moment. Immediate action is demanded in regard to providing for this deficit, as these bonds are payable in New York, and unless the necessary funds are forwarded before the first of March they will be protested, and the credit of the city and State dishonored.

PUBLIC SCHOOL BUILDINGS ERECTED SINCE 1866-67.

Name of building.	Location.	Material used..	Date of contract	Architect.	Gr'de of school	Capacity.			Contract price of building..	Cost per class room.....	Cost per seat...
						No. Classes	Number of seats.	Gr. Pr.			
Spring Valley.....	Broadway, bet. Polk and Larkin...	Wood.	1865. Sept. 30.	S. C. Bugbee.....	Grammar.....	4	240	.....	\$7,800 00	\$1,950 00	\$32 50
Market Street Primary....	Corner of Fifth and Market.....	Wood.	May 29.	S. C. Bugbee.....	Primary.....	12	.....	720	5,744 00	470 66	7 97
Tchama.....	Tchama, between First and Market	Brick..	June 30.	S. C. Bugbee.....	Primary.....	17	.....	1,020	25,850 00	1,520 58	25 33
Synagogue.....	Broadway, bet. Powell and Mason	Brick..	Aug. 31.	Wm. Patton.....	Primary.....	12	.....	720	12,910 00	1,075 83	17 93
Spring Valley addition....	Broadway, bet. Polk and Larkin...	Wood.	Oct. 15.	S. C. Bugbee & Son	Primary.....	4	.....	240	4,975 00	1,243 75	20 71
Filbert Street.....	Filbert, between Jones and Taylor.	Wood.	Oct. 26.	Wm. Patton.....	Primary.....	11	.....	660	16,000 00	1,500 00	25 00
Union alteration.....	Union, bet. Kearny and Dupont....	Brick..	Dec. 3.	Wm. Craine.....	Grammar.....	2	120	.....	1,811 00	905 50	15 08
Post Street (Cohn buildi'g)	Post, bet. Dupont and Stockton....	Brick..	Jan. 10.	Wm. Patton.....	Gram. & Prim.	15	360	540	13,227 00	881 80	14 70
Center building.....	Shotwell, between 22d and 23d....	Wood.	Mar. 26.	S. C. Bugbee & Son	Gram. & Prim.	8	240	240	8,000 00	1,000 00	16 66
Eighth Street building....	Eighth, bet. Harrison and Bryant..	Wood.	April 8.	S. C. Bugbee & Son	Primary.....	8	.....	480	8,000 00	1,000 00	16 66
Pine and Larkin Streets....	S. W. corner of Pine and Larkin...	Wood.	April 9.	S. C. Bugbee & Son	Primary.....	8	.....	480	8,000 00	1,000 00	16 66
Filbert and Kearny.....	N. W. cor. of Filbert and Kearny...	Wood.	April 25.	S. C. Bugbee & Son	Primary.....	8	.....	480	8,000 00	1,000 00	16 66
State Normal School addi'n	Market, between Fourth and Fifth	Wood.	Mar. 14.	S. C. Bugbee & Son	Primary.....	4	.....	240	2,700 00	675 00	11 25
West End.....	.....	Wood.	July 22.	S. C. Bugbee & Son	Primary.....	1	.....	75	1,585 00	.....	21 13
Tyler Street.....	Tyler, bet. Scott and Devisadero....	Wood.	July 24.	S. C. Bugbee & Son	Primary.....	4	.....	240	4,370 00	1,092 00	18 30
South San Francisco.....	Cor. L st. and 14th av., S. San Fran	Wood.	June 26.	Wm. Craine.....	Gram. & Prim.	8	.....	444	12,470 00	1,558 75	.....
Girls' High School ...	S. E. corner Bush and Stockton....	Wood.	July 27.	Wm. Craine.....	High & Trai'g	12	.....	480	26,390 00	2,199 17	.....

Total number of class rooms provided in new buildings, one hundred and thirty-eight; total number of seats, eight thousand and nineteen; at a total cost of one hundred and sixty-seven thousand eight hundred and thirty-two dollars, exclusive of valuation of Post street and Synagogue buildings, which were obtained by the Board of Education in exchange for a part of the school lot corner of Fourth and Harrison streets.

SCHOOL ACCOMMODATIONS.

Notwithstanding the School Department has erected within the last three years sixteen large and commodious school houses, capable of accommodating eight thousand and seventy-five additional pupils, yet the Board of Education is now obliged to rent the following buildings, to accommodate the large number of children constantly applying for admission to our public schools :

Drumm Street Primary School—Four rooms; two hundred and forty pupils; rent, one hundred and forty dollars per month.

Silver Street Primary School—Twelve rooms; seven hundred and twenty pupils; rent, one hundred and seventy-five dollars per month.

Mission Street Primary School—Five rooms; three hundred pupils; rent, seventy dollars per month.

Mission and Mary Street Primary School—Five rooms; three hundred pupils; rent, one hundred dollars per month.

Eighth Street Primary School—Two rooms; one hundred and twenty pupils; rent, twenty-five dollars per month.

Tenth Street School—Eleven rooms; six hundred and twenty-five pupils; rent, one hundred and sixty-five dollars per month.

Mission School—Four rooms; two hundred and forty pupils; rent, sixty-six dollars per month.

Shotwell Street School—Three rooms; one hundred and eighty pupils; rent, forty-five dollars per month.

Hayes Valley School—One room; sixty pupils; rent, thirty dollars per month.

Geary Street Cosmopolitan Primary School—Four rooms; two hundred pupils; rent, seventy-five dollars per month.

Mason Street Cosmopolitan Primary School—Six rooms; three hundred pupils; rent, one hundred and fifty dollars per month.

City Training School, in Synagogue, on Sutter street—Six rooms; two hundred and forty pupils; rent, one hundred and fifty dollars per month.

Cosmopolitan School, in Turn-Verein Hall—Six rooms; three hundred pupils; rent, one hundred and fifty dollars per month.

Ocean House School—One room; twenty-five pupils; rent, fifteen dollars per month.

Laguna Honda School—One room; twenty-five pupils; rent, ten dollars per month.

From the above statistics, it will be observed that the Board of Education is now compelled to provide accommodations for three thousand eight hundred and seventy-five pupils in hired tenements, at a monthly rental of one thousand three hundred and twenty-six dollars.

The Committee on Finance has set apart fifteen thousand dollars for rents for the next year, which will be required to furnish accommodations for the large increase of pupils.

Although the Board of Education has obtained the best accommodations which could be procured, yet most of the hired buildings are entirely unfit for school purposes. Many of the rooms are in low basements of churches, and are so dark, cold and damp, as to be entirely unfit for prison cells. It is, therefore, cruelty to require sensitive and feeble

little children to spend the pleasantest part of their youthful lives in these dismal rooms. But few of these rented buildings have sufficient yard room for exercise and recreation, which are so essential to the health and happiness of the pupils.

WANTS OF THE SCHOOL DEPARTMENT.

The foregoing facts in regard to the large number of children attending the public schools in overcrowded and unsuitable rented buildings, at the yearly rental of fifteen thousand nine hundred and twelve dollars, should convince every taxpayer and friend of education of the immediate necessity of erecting additional school buildings in nearly every part of the city. It is demanded by every consideration of wisdom and humanity. It is miserable economy to pay more in yearly rents for dilapidated old tenements, entirely unfit for school purposes, than it would cost to pay the interest on school bonds sufficient to raise money to erect comfortable and commodious school edifices, capable of accommodating all the children who may desire to enter the public schools during the next two years. We therefore call especial attention to the following new school houses which should be erected during the following year:

TENTH DISTRICT.

This is the most thickly settled district in the city; and, according to the last school census, there were four thousand and forty-nine children, between five and fifteen years of age, residing within its limits.

There are, at present, accommodations for two thousand six hundred and ninety-four pupils in buildings belonging to the School Department. There are also ten classes, with about six hundred children in attendance, in rented buildings, for which the Board pays a monthly rental of one hundred and seventy dollars. A large primary school house, with at least twelve class rooms, should be immediately erected in the central part of this district. It would probably cost about twenty-five thousand dollars and would accommodate seven hundred and twenty primary pupils.

TENTH STREET GRAMMAR SCHOOL.

A large three-story grammar school building should be erected at once to accommodate the seven hundred and twenty children now attending school in rented rooms in St. Joseph's Church, on Tenth street, and in two small and crowded rooms near the Eighth Street School. The department is now paying for inferior accommodations a monthly rental of one hundred and sixty-five dollars, a sum which is more than double the interest on the bonds necessary to raise sufficient funds to erect suitable accommodations for this rapidly growing section of the city. The Board owns a fifty-vara lot on Harrison street, between Tenth and Eleventh streets, which is centrally located for children attending this school. The entire expense of erecting and furnishing this building, ready for use, would probably amount to thirty thousand dollars.

COSMOPOLITAN GRAMMAR SCHOOL.

Increased accommodations are immediately required for the South Cosmopolitan School. At present the Board is hiring accommodations for nine hundred pupils, at a monthly rental of three hundred and seventy-five dollars. Most of these rented rooms are in damp basements of churches, and are too dismal and unhealthy for the daily occupation of little children. There are also five classes in Turn Verein Hall unprovided with yards for play and recreation.

As the pupils of this school attend from every part of the city, a suitable site, centrally located, should be selected, further distant from the noisy streets of the business portion of the city than the present location, on Pine street, near Dupont. A twelve-class grammar school building, which will accommodate at least seven hundred pupils, should be erected as soon as possible. The lot will probably cost about twenty thousand dollars, and the building and furniture twenty-seven thousand five hundred dollars.

MISSION DISTRICT.

A new grammar school building is required to accommodate the increasing juvenile population of this district. The present building is overcrowded, and the Board is now obliged to rent in the vicinity four rooms, to receive two hundred and forty pupils, for whom the department has no accommodations.

As this is the most rapidly increasing portion of the city, a twelve-class room building would probably be filled in less than one year. The cost of the building and furniture will probably amount to thirty thousand dollars. The department owns a lot.

SHOTWELL STREET SCHOOL.

A twelve-class grammar school-building should be erected during the next year for this thriving part of the city.

The Board is now renting four rooms, which will accommodate two hundred and forty primary children. According to the last census, this neighborhood, like the Mission, is increasing more rapidly in population than any other part of the city. Another building will therefore be required to meet the wants of the district. The cost of the building and furniture will amount to thirty thousand dollars.

OCEAN HOUSE.

A school house, of not less than two class rooms, should be erected for this growing section of the county. The present rented building is so small and badly arranged as to be entirely unfit for school purposes. Estimated cost, three thousand five hundred dollars.

LAGUNA HONDA

A two-class room school house should also be erected for this section of the city. The present rented building is filling very rapidly, and will soon be too small to accommodate the large number applying for admission. Estimated cost, three thousand five hundred dollars.

SPRING VALLEY DISTRICT.

A primary building, of not less than four class rooms, should be erected during the year, near the corner of Devisadero and Union streets, to meet the wants of this section of the city, which is rapidly filling up with families. The present Spring Valley School, which is already overcrowded, is too far from the centre of the district to accommodate the large number of children living near the Presidio. Estimated cost of building and furniture, six thousand five hundred dollars.

HAYES' VALLEY.

A grammar school house will required before another year, to meet the wants of all that portion of the city west of Larkin street, and south of Bush street, to Hayes' Valley, which is rapidly filling up with families of children.

For the present an eight-class room building will meet the wants of the district. Estimated cost of building and furniture, fourteen thousand dollars.

BOYS' HIGH SCHOOL.

The present building for the boys' High School, on Powell street, near Clay, is already inadequate to accommodate the large increase in the school. A large edifice should be erected next year on the vacant lot on Bush street, near Hyde, to accommodate the large number of pupils who will be applying for admission after the next annual examination. Estimated cost of building and furniture, thirty thousand dollars.

RINCON DISTRICT.

A girls' grammar school building should be erected to accommodate the increasing population of the Seventh, Ninth, and Tenth Districts. The present building, on Vassar Place, Rincon Hill, was erected for a primary school; the rooms are not, therefore, large enough to conveniently seat full classes of fifty-four grammar pupils.

The department is now renting a large twelve-classroom building, capable of accommodating seven hundred and twenty pupils, at a monthly rental of one hundred and seventy-five dollars. As soon as the lease of this building expires, the Board of Education should at once erect a suitable and commodious building for the young misses of these districts. It would be economy to the city, as well as justice to one of our largest and most popular schools. Estimated cost of building and furniture, thirty thousand dollars.

 LEGISLATION REQUIRED.

The foregoing statement of the increased school accommodations which are now required to meet the pressing wants and the increasing demands for the next two years, should receive the immediate and earnest consideration of the Legislature.

Within the next two years we will require at least twelve new school

houses, at an estimated cost of about three hundred thousand dollars. We must have adequate means to erect, in every part of our expanded city, plain but substantial school edifices, to keep pace with the rapid increase of population, and the great demand for popular instruction and intellectual improvement.

There are now three thousand eight hundred and seventy-five pupils attending the public schools, for whom we have no accommodations of our own. In addition to this number the last census returns show that there are one thousand nine hundred and twenty-seven children between five and six years of age, who will be entitled by law to enter school some time during the year. There are also fifteen thousand six hundred and fifty-five children in the city under five years of age, who will soon be seeking admission to our public schools.

This rapid increase of juvenile population, in connection with the large immigration which the great highways of communication with every part of the world are constantly bringing to our shores, so far exceeds the increase of the wealth and taxable property of the city that the revenue of the School Department is entirely inadequate to meet our growing educational responsibilities.

During the last four years the average daily attendance of the School Department shows the following increase:

During the year ending June 30th, 1866.....	8,131
During the year ending June 30th, 1867.....	10,177
During the year ending June 30th, 1868.....	11,871
During the year ending June 30th, 1869.....	13,113

This is an increase of sixty-one per cent., while the County Auditor's report shows an increase of only twenty-six per cent. of the taxable property for the same time, which will appear from the following returns of the Assessor:

Taxable property for the year 1866	75,000,000
Taxable property for the year 1867.....	80,000,000
Taxable property for the year 1868.....	85,000,000
Taxable property for the year 1869.....	95,000,000

We are, therefore, obliged to appeal to you, gentlemen of the San Francisco delegation in the Legislature, and to the liberality of the taxpayers of our city, to aid us in obtaining such additional support and relief as will place our public schools upon a healthy and permanent basis.

In order to enable the Board of Education to erect even the most plain and simple school houses, to meet the wants and necessities of the present, and to pay the deficit of thirty thousand dollars in the Building Fund, and the seventeen thousand two hundred and fifty-six dollars deficit in the Sinking Fund for the redemption of the school bonds of eighteen hundred and sixty, we require at least three hundred thousand dollars. This amount must be raised either by increased taxation or the issuing of school bonds.

SCHOOL BONDS.

We would recommend the Legislature to authorize the city to issue three hundred thousand dollars of bonds for the relief of the School Department. In a young and growing city like San Francisco, where the increase of population so far exceeds the increase in wealth and taxable property, it is not wise economy to make the population of to-day bear the entire burden for permanent improvements, which will be a benefit for the future as well as the present. We therefore think the only feasible and equitable plan to meet the present exigency and wants of the School Department is to issue bonds at a low rate of interest, and payable in fifteen or twenty years, rather than to resort to excessive taxation.

But the Interest and Sinking Fund of all bonds issued in the future should be provided for from some other source than the General School Fund, which is now barely sufficient to defray the current expenses of the School Department, and to pay the present draft of forty-six thousand three hundred and forty dollars, which is annually transferred from the School Fund to the Interest and Sinking Fund account, for bonds which have already been issued.

INCREASED TAXATION.

From the foregoing statements of the current expenses of the School Department for the past and present year, it will appear that the present tax of thirty-five cents on every hundred dollars valuation of property in San Francisco is only adequate to defray the current expenses of conducting the public schools. It will, therefore, be necessary to levy a special school tax of ten cents on every hundred dollars, for the purpose of raising a Building and Repair Fund, and to pay the Interest and Sinking Funds for the redemption of school bonds.

WOODEN BUILDINGS.

The exhibit in the table of school houses erected during the last three years will clearly show that the Board of Education cannot be charged with extravagance in the erection of costly edifices for the instruction of our youth, when we take into consideration the large number of children accommodated for the amount of money expended. Since the disastrous lesson of the last two great earthquakes, the Board of Education and the community have decided that there should never be erected any more large brick school houses. They are cold, damp, and less cheerful and comfortable than wooden structures, while the danger from earthquake panics makes them a constant terror to the community and the children attending them.

But while the Board of Education desires to pledge itself to use all due economy possible in the erection of school houses and the expenditure of school funds, yet we do not think it economy or wise policy to erect any but substantial and comfortable structures for the education of youth. While they should be plain and free from expensive ornaments, yet they should be cheerful and commodious buildings, with all the modern improvements in school architecture. Cheap and inadequate public buildings are always the most expensive in the end.

COST OF OUR PUBLIC SCHOOLS.

Since the School Department is compelled to ask for increased appropriations from the Legislature, it may be interesting and instructive to review the past expenses of the department, to ascertain how much it has cost to plant upon these Pacific shores our noble system of public school instruction, in comparison with the other expenses of the city government.

Objections have been made in regard to the expense of tuition here, in comparison with Eastern cities. While it may be true that the tuition per scholar is greater in San Francisco than in some of the older cities, yet, if we carefully investigate the facts, we shall find that the yearly expense of educating a child in our public schools is less than in New York, Boston and many of the large cities of the Eastern States. The whole number of pupils attending the public schools during the year was nineteen thousand eight hundred and eighty-five, with an average number belonging of fourteen thousand one hundred and thirty-four. The current expenses of conducting the department for the same time, including teachers' and janitors' salaries, fuel and rent, were three hundred and nineteen thousand and twenty-eight dollars and twenty-eight cents, being twenty-two dollars and fifty-seven cents for each pupil under instruction for the whole year, and sixteen dollars and four cents for each scholar attending a longer or shorter period.

In New York, in eighteen hundred and sixty-eight, the cost per pupil, based upon the average attendance, was about thirty-three dollars and fourteen cents. The City of Boston, which is famed for economy, combined with wisdom and liberality, in managing public affairs, expends annually twenty-five dollars and eighty-eight cents for the education of each youth attending the public schools. While the expense of tuition in San Francisco compares favorably with the cost of education in Eastern cities, yet it is not a just criterion by which to approve or condemn the management of the Board of Education. There are many expenses attending the organization of our public schools in California, where prices are so high, which are not incurred in conducting schools in Eastern cities. The true standard by which to judge of the necessary expense of education here, is a comparison of the cost of tuition in our private and public schools, where the salaries and the cost of living are the same, and where in private schools competition has reduced the charges to the lowest living rates. According to their published rates, the tuition for each pupil in private schools is from three to twelve dollars per month, making an average of six dollars and fifty cents; this, for ten months, will amount to sixty-five dollars, which is nearly three times the sum expended in our public schools.

The following is a statement of the yearly expenditures of the School Department since eighteen hundred and fifty-two, with the total expenditures of the city :

YEARS.	Total expenses of the city.	Total expenses of the School De- partment.	Per centage of expenditure for school purposes.
1852 .....	.....	\$23,125 00	.....
1853 .....	.....	35,040 00	.....
1854 .....	.....	159,249 00	.....
1855 .....	.....	136 580 00	.....
1856 .....	.....	125,064 00	.....
1857 .....	.....	92,955 00	.....
1858 .....	.....	104,808 00	.....
1859 .....	.....	134,731 00	.....
1860	\$1,142,290 89	156,407 00	0.13
1861	826,012 33	158,855 00	0.19
1862	812,569 25	134,567 00	0.16
1863	1,387,806 12	178,929 00	0.13
1864	1,495,906 32	228,411 00	0.16
1865	1,819,078 52	346,862 00	0.19
1866	2,192,918 79	361,668 00	0.17
1867	2,356,301 88	507,822 00	0.21
1868	2,365,250 11	376,392 00	0.16
1869	2,459,210 05	400,842 00	0.16
		\$3,662,307 00	

This amount includes the entire expenses of the School Department, such as the current expenses, the purchase of school sites, the erection and repair of school houses, etc. Although this sum may appear large, yet when we compare the expenses of our public schools with those of New York and Boston, we shall find that, according to our population, there has been less expended in San Francisco than in many of the Eastern cities. Boston, with a population of two hundred and twenty thousand five hundred and eighty-eight, appropriated, in eighteen hundred and sixty-eight and eighteen hundred and sixty-nine, one million and thirteen thousand two hundred and forty dollars for school purposes, while San Francisco, with a population of about one hundred and sixty thousand, expended during the year just closed four hundred thousand eight hundred and forty-two dollars. Boston last year expended one hundred and eighty-eight thousand seven hundred and ninety dollars for new building and lots; and during the last ten years the Common Council of that city has, on an average, appropriated annually over two hundred thousand dollars for building purposes. If it requires this yearly expenditure in an old settled city, which for years has boasted of her superior school accommodations, we think none should complain of the expense of establishing our public schools in a city which, within a few years, has grown from a small trading post to be one of the large commercial centres of the world. As long as San Francisco continues to increase so rapidly in population, so long must our citizens expect to contribute their wealth for the support of the public schools.

Every hillside and valley of our fair and spreading city must soon be dotted with schools for the education of our youth. If we take a wide view and just estimate of the part we should act in shaping and mould-

ing the civilization and the future destiny of this Western World, we will pursue a liberal policy in laying broad and deep the foundations of our institutions of learning. Every dollar which we now expend in the cause of education will, like seed sown upon good ground, yield a rich harvest through future ages, in the general intelligence and prosperity of a great and happy people.

Respectfully submitted.

E. H. COE,
EDGAR BRIGGS,
JOHN M. BURNETT,
R. H. SINTON,
J. W. MATHER,
JAMES DENMAN,
Committee of the Board of Education

APPENDIX.

BOARD OF EDUCATION--1870.

PRESIDENT.....J. M. BURNETT.

MEMBERS :

FIRST DISTRICT.....	E. H. COE
22 City Hall. Dwelling—East side Calhoun street, between Union and Green.	
SECOND DISTRICT.....	CHAS. KOHLER
626 Montgomery street. Dwelling, 1,507 Stockton street.	
THIRD DISTRICT.....	WM. SNEW
417 Montgomery street.	
FOURTH DISTRICT.....	C. H. REYNOLDS
329 Montgomery street. Dwelling, 1,314 Washington street.	
FIFTH DISTRICT.....	J. D. B. STILLMAN, M. D.
17 Post street.	
SIXTH DISTRICT.....	JOS. W. MATHER
305 Sansome street. Dwelling, 13 Monroe Place, Bush st., between Stockton and Powell sts.	
SEVENTH DISTRICT.....	J. F. MEAGHER
418 Montgomery street. Dwelling, 61 Minna street.	
EIGHTH DISTRICT.....	EDGAR BRIGGS
Southeast corner of Sansome and Sacramento streets. Dwelling, 33 Erie street.	
NINTH DISTRICT.....	R. H. SINTON
509 California street. Dwelling, 16 South Park.	
TENTH DISTRICT.....	A. K. HAWKINS
645 Market street. Dwelling, 829 Howard street.	
ELEVENTH DISTRICT.....	H. F. WILLIAMS
407 California street. Dwelling, Seventeenth avenue, near Railroad avenue, South San Francisco.	
TWELFTH DISTRICT.....	J. M. BURNETT
59 Exchange Building, corner of Montgomery and Washington streets. Dwelling, northwest corner of Polk and Jackson streets.	

STANDING COMMITTEES.

NOMINATION OF TEACHERS—Directors Meagher, Mather, Williams, President and Superintendent.

RULES AND REGULATIONS—Directors Shew, Hawkins and Coe.

CLASSIFICATION AND COURSE OF INSTRUCTION—Directors Mather, Reynolds, Meagher and Superintendent.

HIGH AND NORMAL SCHOOLS—Directors Stillman, Hawkins and Reynolds.

FURNITURE AND SUPPLIES—Directors Sinton, Meagher and Briggs.

TEXT BOOKS AND MUSIC—Directors Shew, Coe and Hawkins.

COSMOPOLITAN SCHOOLS—Directors Briggs, Kohler and Meagher.

EVENING SCHOOLS—Directors Kohler, Coe and Williams.

SCHOOL HOUSES AND SITES—Directors Williams, Sinton and Stillman.

SALARIES AND JUDICIARY—Directors Reynolds, Stillman and Hawkins.

FINANCE AND AUDITING—Directors Hawkins, Kohler and Reynolds.

TEACHERS' INSTITUTE—Directors Mather, Williams and Briggs.

PRINTING—Directors Coe, Kohler and Williams.

JANITORS—Directors Sinton, Shew, Coe and Superintendent.

REPORTS OF SCHOOL DIRECTORS.

FIRST DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

GENTLEMEN: I herewith submit for your consideration my quarterly report in respect to the condition and wants of the First, or Union District.

There are now belonging to the department :

One brick school house, situated on Union street, having nine classrooms, and accommodations for four hundred and eighty-one children.

One frame school house, situated on Filbert street, having eight classrooms and accommodations for five hundred and twenty children.

There are, at present, in attendance at the building on Union street.....	464
And, at the one on Filbert street.....	471
Total attendance.....	935

It will therefore be seen that there are some vacant seats, but these will be filled immediately on the opening of the schools in January, by those who have applied for admission during the past year, but for whom there were no accommodations at the time.

THE IMMEDIATE WANTS OF THE DISTRICT.

According to the last census report there were about three hundred and seventy children between the ages of six and fifteen, not attending any school; three hundred and five between the same ages, attending private institutions, and one hundred and fifty-eight between the ages of five and six.

Of the above number who will most probably require school accommodations during the next five months, we may reckon :

One-fifth of those not attending school, or.....	74
One-fifth of those in private schools, or.....	61
And, at the very least, two-thirds of those between the ages of five and six.....	106
Total.....	241

Pesides the above, for whom accommodations seem to be most pressing at the present time, we have, according to the census report already referred to, seven hundred and eighteen children under five years of age, one hundred and fifty of whom, at least, will claim admission into the schools of the district. We have, therefore, about four hundred children in all to provide with school facilities during the next year.

There are, likewise, growing up in that portion of the city called the city-front, a large number of youths of both sexes, who will probably never attend any school, unless one be thrust upon them; would it not, therefore, be wrong to permit them to wander about the wharves, acquiring the worst of habits, without making an effort to elevate them and render them useful to the community in which they live?

To meet the wants of the district and city-front, it has been suggested to erect a building, say of some four or five rooms, on or near Broadway and Sansome streets, to accommodate the large number of children living in that vicinity and the city-front, and who may find it very inconvenient to attend a school situated higher up. A lot, at the present time, according to size, can be obtained, in that part of the city, for from eight to fifteen thousand dollars, a plain frame building be put thereon for five thousand, furniture, repairs, etc., costing about two thousand

Respectfully asking the attention of the Board to the above matter, I am,

With great respect,

E. H. COE,
Director First District.

SECOND DISTRICT.

SAN FRANCISCO, December 27th, 1869.

To the Honorable Board of Education:

GENTLEMEN: In compliance with a resolution passed by the honorable Board, I wish to report on the wants of the Second District, represented by me, the following:

First—In the school known as the North Cosmopolitan School, in charge of the able and efficient principal, Miss Kate Kennedy, every available room is occupied by the requisite number of pupils. At the opening on Monday next she will therefore be able to receive but a very limited number of pupils, if any at all. This building is in an excellent condition.

Second—In the Greenwich Street Cosmopolitan Primary, in charge of the very efficient principal, Mrs. Duane, there is but one suitable vacant room in which a class can be formed at the opening on Monday next.

The building is rather a frail one, and should be replaced by a new twelve-class frame building as soon as the more pressing wants of other districts have been relieved.

Considering the great popularity of these schools, and judging by the past, I am hardly justified in believing that one room will relieve the wants of my district, yet I deem it expedient to refrain from making further suggestions in regard to these schools, as well as to the colored school, until they have been fairly opened.

Yours, most respectfully,

CHAS. KOLHER,
Director Second District.

THIRD DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

GENTLEMEN: In making my quarterly report concerning the condition of the schools in my district, I am compelled to call the attention of the Board to the fact that the school accommodations are inadequate to the wants of the inhabitants thereof. Within the past year, the Superintendent, together with the Committee on School-houses and Sites, were authorized to exchange for a term of years some school lot belonging to the department for the premises known as the Corporation Yard, which, it was thought, with a moderate outlay of money, could be made available for school purposes. Negotiations for this transfer, I learn, have ceased, and the three classes of the only school in that vicinity are compelled to assemble in damp and ill ventilated rooms under the church, where the stench coming from the bilge water in the neighborhood is sometimes intolerable.

Steps should immediately be taken to procure better accommodations for this school in a more healthy locality.

Respectfully submitted.

WM. SHEW,
Director Third District.

FOURTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

GENTLEMEN: In accordance with section five of the by-laws of this Board I submit this, my quarterly report of the condition and wants of the public schools in the Fourth District.

It affords me pleasure to state that owing to the vigilance of my predecessor (General H. A. Cobb) and the indulgence of this Board, the school buildings of this district are in good condition.

The rooms of the Broadway Grammar School have been renovated, and in every respect made suitable for school purposes. The large lot which was formerly used by the Colored School has been fenced and planked, and suitable seats and sheds have been put up, which makes it the best yard attached to any school in the city. The premises are kept

scrupulously neat by the Janitor, who devotes his time to this school alone. I would suggest, however, that a portion of the room occupied by the principal be cut off by a partition, the same to be used as a library room and office by the principal. At present there is no room of the kind in this building, and such a room is much needed in every well regulated school. This can be done at little expense and the school will be much benefited by the addition.

This school is for girls exclusively, and at present numbers six hundred and four pupils, with one male Principal (Mr Noah F. Flood), and eleven female teachers.

The Powell Street Primary School building is also in good condition, and, with the exception of the whitening of one of the rooms, needs no repairs. This is a mixed school, and at present contains five hundred and eight boys and girls, with one female Principal (Miss Carrie V. Benjamin), and seven female teachers.

The primary classes in this, as well as the Broadway School, have just passed an examination for promotion with the most gratifying results.

From the above it will be seen that there are at present one male and nineteen female teachers employed in this district, with one thousand one hundred and twelve children (eight hundred and eleven girls and three hundred and one boys) attending the schools. The schools were never in a more flourishing condition. Well may the citizens of the Fourth Ward be proud of them.

Respectfully submitted.

C. H. REYNOLDS,
Director Fourth District.

FIFTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

The Director from the Fifth, having no schools in his district, reports that he will give his particular attention to the schools of all the other districts.

J. D. B. STILLMAN,
Director Fifth District.

SIXTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

The undersigned, School Director of the Sixth Ward, would respectfully report that, so far as his knowledge extends, the schools under his charge are in a satisfactory condition, and that he knows no matter of moment to bring to the notice of this Board.

Later, when I shall have had opportunities of knowing more thoroughly of their conditions and wants, a more detailed statement may be expected.

J. W. MATHER,
Director Sixth District.

SEVENTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

The Seventh District, which I have the honor to represent, stands as follows: From eight hundred to nine hundred children attending the Tehama School; sufficient building—no play ground; innumerable complaints of parents. Joint requisition of Director and parents—purchase lot or lots which are for sale in the immediate vicinity or rear of Tehama School building.

J. F. MEAGHER,
Director Seventh District.

EIGHTH DISTRICT.

SAN FRANCISCO, January 28th, 1869.

To the Honorable Board of Education :

GENTLEMEN: As Director of the Eighth District, it becomes my pleasing duty to submit for your consideration a report of the condition, wants, etc., of the district I have the honor to represent.

The schools under my immediate supervision are presided over by as efficient a corps of instructors as can be found in this State, as is evinced by the rapid progress made during the past term by the pupils under their charge.

The whole number of pupils registered is two thousand nine hundred and fifteen, of which number one thousand two hundred and eighty-one are in rented buildings, at a cost of six hundred and seventy-five dollars per month. Most of the buildings are not well adapted to the uses of the Public School Department, being inadequately provided with out-houses, yards, etc.

The only remedy for these evils, and to provide proper accommodation for the growing wants of this district, will be to purchase a suitable lot in the same, whereon to erect a sixteen-class building, with all the modern improvements, for the accommodation of the cosmopolitan schools. This will enable us to vacate all the buildings now under rent, and consolidate the classes in one building; thereby affording a better classification of the pupils—conducting to the comfort of teachers and scholars. An outlay of not more than fifty thousand (\$50,000) dollars is all that would be required, thus securing ample accommodation for some years to come; this would also save the department the amount now paid for rent, and the increasing value of the property would be nearly if not quite equivalent to the interest on the amount invested.

I would also recommend that as soon as the funds of the department will permit, an additional building be provided south of Market street, and west of Sixth, in which to organize an additional cosmopolitan school, to accommodate the many who reside in that portion of the city, and wish to avail themselves of the advantages this system affords;

thus drawing off the surplus now crowding my district, and the schools therein, to the detriment of the residents thereof.

If this is not done, the time is not distant when I shall be compelled to call upon your honorable body for still more facilities, and which can be provided in the portion of the city before mentioned at a much less cost.

All of which is respectfully submitted.

E. BRIGGS,
Director Eighth District.

NINTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education :

GENTLEMEN: In the Ninth District, Rincon Girls' Grammar School urgently needs a new house. Among the weightier arguments and proofs, I respectfully submit the following facts:

1st. *Its rooms are too few.*

The school has twelve full classes. The house has eight small rooms.

2d. *Some of its rooms are unhealthy.*

One of the largest rooms included in the above eight is a *basement* room, already twice condemned by grand juries as unhealthy and unfit for regular occupation as a school room, especially by girl pupils and young lady teachers. Thus, by the repeated verdict of that authority, we have actually but *seven* regular school rooms for the *twelve* classes.

3d. *The rooms are too small.*

Each room is twenty-four feet square, giving each room floor an area of five hundred and seventy-six square feet.

The average area of each room floor in the standard school houses of our own and other cities, is nine hundred and eighty-six square feet. Thus, with rooms less than five-eighths as large, we are expected and required to accommodate fully as many pupils in each class, to preserve equally good health, to maintain equally strict order and discipline, and to instruct them up to the same standard.

I respectfully submit that the equity and justice of such a requisition do not readily appear.

4th. *The rooms are unhealthfully crowded*, and must be so to accommodate the number of pupils legally prescribed for each class. Their small size compels the crowding of the seats into double zig-zag rows, separated only by narrow single aisles.

This arrangement involves three evils :

1st. It makes good order more difficult, by bringing the pupils so near to each other as to greatly increase the temptation and opportunity to whisper, or communicate by other means.

2d. It obstructs forming and marching, by crowding the occupants of *two* rows into one narrow aisle.

3d. It greatly hinders, nay, almost wholly prevents the necessary and prescribed calisthenics, by crowding the pupils just twice as closely as they should stand, thus compelling unavoidable collision, and making this exercise well nigh impossible.

The cottage rooms on Silver street are still worse. With an average length of thirty-five feet, average width of seventeen feet, and average height of only eight feet, these *four rooms have held, and do hold in actual daily attendance, more than two hundred fourth and fifth grade pupils, AND GIRLS AT THAT.* We have been regularly compelled, *for more than a year past*, to refuse pupils whose parents wished them accommodated with us.

5th. *We have no safe hat, cloak and wash rooms.*

All the outer garments of the pupils now hang in the open halls, fully exposed to constant meddling, and sometimes *worse* than meddling, of vicious persons who may by chance or design pass through these halls. Frequent trouble *has, does* and always *must* come from this arrangement.

6th. *The teachers have no rooms for hat, cloak, wash or dressing rooms.* The Principal and his assistants have no place for the necessary retirement with visiting parents, or for quiet unobserved disciplinary talk with pupils.

7th. *The school has no hall or assembly room* for the regular general exercise in singing and calisthenics, or for the annual examinations, public exhibitions, graduating exercises, etc.

8th. *What we respectfully ask :*

(a) Move the old cottages, on the Silver street lot, across the street on to the vacant lot opposite, and continue to occupy them during the building of the new house. The temporary use of this lot, I am advised, will be readily granted by the owner, our esteemed fellow citizen, Isaac Davis, Esq.

(b) Build a substantial and commodious grammar school house, of wood, on the lot at present occupied by the old cottages. This lot fronts eighty-eight feet on Silver street, and has a depth of seventy feet, and abutting on the south side of the old Rincon school yard.

(c) On the completion of the *new* house, immediately occupy the old one (present Rincon Grammar), after thorough renovation, as a central primary, gaining thereby better organization and discipline, and a *saving of rent.* The rooms in the old building, though, as before stated, much too small for the larger pupils, and larger desks of the grammar grades will serve well for the smaller pupils, and correspondingly smaller furniture of the primary grades. This would furnish ample accommodation (with what we already have) for two years or more to come, and until the gradual growth of population around and beyond South Park shall compel the erection of new primary buildings in the neighborhood of Townsend street. This latter would complete the system of school houses for Rincon District, having the Tehama street house for the North Primary, the present grammar building for the Central Primary, and the ultimately inevitable one on or near Townsend street as the South Primary, all tributary to the one Central Rincon Grammar School, whose new house we now do urgently and respectfully pray you to take immediate steps to build.

9th—In conclusion, I respectfully ask your attention to the following :

1st. The grade of the Silver street lot is but five feet above the newly established grade of Second street. A brick wall of that height, along the Silver street front, would avoid the necessity of the high fence usually constructed, and render seclusion from the street more perfect.

2d. The new building can be completed at a cost not to exceed thirty thousand dollars.

3d. Rincon District is one of the largest in the city, reaching from

Market street on the north, Fourth street on the west, and the Bay on the east and south.

4th. At the Rincon Grammar and Silver Street Primaries (the old cottages), we have now a total of all grades, over seven hundred pupils, all girls, besides which we have a rented building, also on Silver street, near Third street, having an attendance of over five hundred and fifty pupils, making over one thousand two hundred and fifty pupils in attendance south of Harrison street, and exclusive of the Tehama Primary. For all these one thousand two hundred and fifty pupils, the department has only eight rooms actually built, and one of these, as shown above, unfit for regular occupation, while the remaining seven were built for the small classes of ten years since, and have never suitably accommodated a grammar class during the last four years.

5th. The increasing patronage of our public schools, by many of our resident parents, who have withdrawn their children from the best private schools, to send them to the public schools of their district. Provide better public school accommodations, and our public schools will gain greatly in this respect.

6th. The probable demands of the immediate future, as indicated by the recent past. The total number of grammar pupils in this school, in eighteen hundred and sixty-five, was two hundred and eighty-nine. At the beginning of the next session of the present term, January third, eighteen hundred and seventy, we will have over five hundred grammar pupils, and one hundred others now in the higher grades, and who will become grammar pupils by regular promotion in May next—only four months hence. At the lowest estimate, the next school year will open with at least six hundred full grade grammar pupils. Such a fact indicates the necessity of prompt action.

Finally, if six hundred girls and young ladies, and nearly a score of young lady teachers, four years neglected, have now no convincing claim upon your immediate and ample provision, all argument in my power must utterly fail.

Respectfully submitted.

R. H. SINTON,
Director Ninth District.

TENTH DISTRICT.

SAN FRANCISCO, December 30th, 1869.

To the Honorable Board of Education :

GENTLEMEN : In the Tenth District, which I have the honor to represent, there are forty-two classes located in buildings belonging to the School Department, and nine in leased buildings, for which a monthly rental of one hundred and seventy (170) dollars is paid.

The classes, fifty-one (51) in all, are presided over by an able corps of teachers, and are second to none in the department for efficiency.

In this district is located the most valuable school property in the city. The one-hundred-vara lot on the corner of Fifth and Market streets, upon which are located the Lincoln Grammar, Lincoln Primary and Normal Schools, is being rapidly surrounded by stores of various kinds, and, in a few years, will be almost in the business centre of the city.

The portion of the lot upon which the Lincoln Primary School is located, has a frontage of two hundred and seventy-five feet on Market street, by a depth of eighty feet. If this building could be removed to the southeasterly portion of the lot, when the State Normal School is removed from its present location, and an entrance obtained from Jessie street, the lot would be still available for school purposes, while the frontage gained on Market street (as before mentioned, 275x80) could be leased advantageously, and would assist materially in defraying the expenses of the department; or, if the Legislature will permit the Board to sell it, when it reaches a price which shall be determined by the Senate and Assembly, the proceeds would be sufficient to erect all school houses that will be required for several years to come, without levying any extra taxes.

The school building at the corner of Fourth and Clara streets, which was in a dilapidated condition, has been repaired, and will probably meet the requirements of the neighborhood for one or two years more.

The westerly portion of the district is growing rapidly, and it will soon be necessary to erect a building containing sixteen class rooms, into which the nine classes that are at present in leased premises can be transferred.

All of which is respectfully submitted.

ARTHUR K. HAWKINS,
Director Tenth District.

ELEVENTH DISTRICT.

SAN FRANCISCO, December 30th, 1869.

To the Honorable Board of Education :

GENTLEMEN : In accordance with law, I beg leave to submit the following report :

School buildings needed in Eleventh District :

First—A twelve-class building near the corner of Tenth and Harrison.

Second—A ten-class building on the lot occupied by the Mission Grammar School.

Third—An eight-class building in the vicinity of Harrison and Park streets, or near the Shotwell Street Grammar School.

Fourth—A single-class building near the Ocean House.

Fifth—A single-class building near Laguna Honda.

The foregoing buildings will furnish thirty-two additional class rooms for the accommodation of that rapidly increasing part of the city.

There are twenty-two classes already organized, which now occupy rented apartments, entirely unfit for school purposes, waiting to go into these new buildings.

The following table shows the amount the School Department is paying for these rented rooms :

School.	Rooms.	Amount.
Tenth Street School	11	\$165
Eighth Street, near Harrison.....	2	25
Mission Street, near Sixteenth street.....	4	65
Harrison street, near Twenty-second.....	3	40
Ocean House School.....	1	15
Laguna Honda.....	1	10
Total	22	\$321

Total for the year.....\$3,852

Add to the above the expense of fitting up these rooms with desks, tables, stoves, stove-pipes, window shades, coal-boxes, the wear and tear of moving furniture and keeping these old buildings in repair, and it would swell the above figures to at least four thousand five hundred dollars per year; a sum sufficient to pay interest on sixty-four thousand dollars in seven per cent. school bonds, and estimating these bonds at eighty per cent., their market value, would still amount to more than fifty thousand dollars in coin, a sum large enough to erect the buildings proposed.

It has been shown by experience in the larger schools of the city, such as the Lincoln and Denman, that it is better to have many classes (say from 12 to 20) concentrated, than to have them scattered, and for the following very plain reasons:

First—It is a saving in expense of teachers. One grammar master, one sub-master and one head-assistant can superintend eighteen classes as easily as they can eight.

Second—It is a saving in janitors' labor.

Third—It affords better opportunities for a good classification.

The last item is entitled to a good deal of consideration by the Board, when they purpose to erect small buildings of from four to eight class rooms, at a considerable distance from other school houses.

Respectfully,

H. F. WILLIAMS,
Director of Eleventh District.

TWELFTH DISTRICT.

SAN FRANCISCO, December 28th, 1869.

To the Honorable Board of Education:

GENTLEMEN: In accordance with law I have the honor to present my quarterly report as Director of the Twelfth District.

The Twelfth District embraces a larger territory than any other, except the Eleventh, and a very large number of its residents are free-holders. A residence of some years justifies me in asserting that in no district can be found a greater portion of families living in their own

houses. This gives permanency to the population; and the idea of permanency causes parents to take a lively interest in the schools in which their children are taught. As Director, I have ever found them anxious to co-operate with me in my efforts to increase the efficiency of the schools, and to render that support to the teachers which is necessary to accomplish the ends for which our educational institutions were organized. This, I deem, should entitle this district to the favorable consideration of this Board.

There is a large tract near the Presidio which is being rapidly filled by permanent residents. A primary school is much needed near the Government Reserve. I think a four-class building should be erected to accommodate the pupils in that vicinity. I have endeavored to rent a suitable house for the purpose of organizing such classes as can now be formed, but have not yet succeeded.

The Spring Valley Grammar School has been ably conducted by Professor Williams and his efficient corps of assistants. The building is in good condition and requires only the ordinary repairs.

The Spring Valley Primary, in charge of Miss Hurley, has been well conducted. The building requires some repairs.

The Pine and Larkin School is in charge of Miss Cooke, one of the most efficient Principals in the Department. The past term has been one of quiet and harmony, and parents express great satisfaction at the progress made by their children. The smaller building needs repairs, and two of the rooms are entirely too small for the fifty-four children in each. As soon as the necessary funds can be spared these rooms should be enlarged. In fact, I would recommend the demolition of the entire building whenever the finances will allow the erection of another.

The Pine Street School, in charge of Mrs. Russell, and the Tyler Street School, in charge of Miss Bragg, are in good condition, and are well filled. Additional rooms are needed at both schools, owing to the increase in the number of pupils.

The Laguna Honda School was organized a few months since, and Miss Stanford elected Principal. The building is rented, and will soon be too small for the accommodation of the children. The department should build a school house in that vicinity at an early day.

In and about Hayes' Valley there is a population of about five thousand, the larger portion of which consists of families. Long since a petition was presented to this Board asking to have the Hayes' Valley School raised and an additional story added to it. The matter was referred to the Committee on Classification and Course of Instruction, and that committee recommended the work to be done as soon as the finances of the department would admit. The expenses of the erection of the Girls' High School have absorbed the Building Fund, and thus the matter stands. As Director of the district I earnestly recommend that the required improvements be made as an act of simple justice to the parents and children of Hayes' Valley.

A large number of the inhabitants of that section are Germans, and naturally desire to avail themselves of the benefits of our cosmopolitan system. I would, therefore, recommend that some cosmopolitan classes be organized as soon as suitable accommodations can be provided.

The great want in the Twelfth District is sufficient accommodations. We need more school houses.

All of which is respectfully submitted.

JOHN M. BURNETT,
Director Twelfth District.

EXTRACT

FROM REPORT OF GRAND JURY AS TO OUR PUBLIC SCHOOLS, FOR NOVEMBER AND DECEMBER TERMS, 1869.

We find the public schools in a satisfactory and flourishing condition. The great want of the School Department is increased accommodation for the large number seeking admission. There are now three thousand eight hundred and seventy-five pupils attending the public schools in rented buildings. There are fifteen thousand six hundred and fifty-five children in the city under five years of age who will soon be seeking admittance to our public schools.

This rapid increase of juvenile population, in connection with the large immigration to our shores, so far exceeds the increase of the wealth and taxable property of the city, that the revenue of the School Department is entirely inadequate to meet the growing educational responsibilities. The Board of Education will be obliged to seek Legislative action to place the public schools on a more healthy and permanent basis.

EXTRACT

FROM LAST ANNUAL REPORT OF THE SUPERINTENDENT OF PUBLIC SCHOOLS.

Since the propriety of reorganizing the Board of Education and of appointing a Deputy Superintendent will probably be brought before the next Legislature, I trust I shall be pardoned for reproducing a part of my last report upon this subject :

“The duties of the Superintendent have become so varied and arduous that it is impossible to discharge them with credit to himself or with profit and satisfaction to the public. During the last year he has made one thousand two hundred and twenty visits to the different public schools, being a monthly average of one hundred and eleven.

“By law he is required to keep himself acquainted with the progress of public education in other cities, to enable him to suggest improvements and remedy defects in the public schools of San Francisco. He is to advise the teachers as to the best methods of instruction and discipline, and for this purpose he is required to hold Teachers’ Institutes. He shall exercise a general supervision over all the public schools, and visit and

examine each of the three hundred and eight classes once in three months, which is an impossibility, if he performs a tithe of his other duties. He shall prepare and examine all the record books in the department, and be always ready to render any aid or perform any duty required of him by the different committees of the Board of Education. He shall also have a general charge of the disbursements of the department, which now amount to over four hundred thousand dollars a year. But I do not speak so much of his duties, which are defined by statute, as I do of the requirements of custom and public expectation. He should be always in his office to hear the complaints of disappointed and indignant parents, and decide trifling disputes which should never be known outside of the school room. He must listen to the merits and claims of the numerous applicants for positions, from janitors to the highest officers in the department, and receive the malediction of all disappointed candidates, and not unfrequently of the successful ones if they succeed against his supposed opposition. In the language of my predecessor, 'He must listen to everybody's wants and complaints; accommodate all and displease none; cater to caprices; combat, yet often succumb to prejudices; defy opposition, yet often yield to it; be everywhere; do everything and know everything; or else he is a very negligent, unfaithful, unkind, unjust and shortcoming Superintendent.'

"His real duties, that of superintending and supervising the instruction and education of the youth attending our public schools, must necessarily be very much neglected while attending to the other numerous duties of his office."

DEPUTY SUPERINTENDENT.

"The rapid growth of the School Department, even under the most perfect organization, renders it necessary that he should be relieved of many duties now devolving upon him. I therefore desire to recommend the necessity of appointing a Deputy Superintendent to attend to the general duties and business of the office, so that the Superintendent may devote his entire attention to his appropriate and legitimate duties of visiting schools, advising with teachers and pupils, and supervising the organization and classification of the School Department. There is abundant labor to perform, which will profitably occupy the time and attention of both officers.

"At the last session of the Legislature the Board of Education prepared a bill which provided for the appointment of a Deputy Superintendent and the reorganizing of the Board, making the term of election three years, so that not more than one-third of the new Directors should be elected each year, thus always retaining a majority of the old and experienced members in the Board. This wise and meritorious bill, which passed the Assembly, was defeated in the Senate through partisan opposition and misrepresentation. But I hope and trust that some provision of this kind will receive the fair and liberal consideration of the next Legislature and become a law. According to the present statutes one-half of the Board is elected yearly, but in reality there are always a majority; this year there will be nine members, or three-quarters of the Board elected. This constant change, and introducing inexperienced members in the Board of Education, will render the

School Department liable to great changes and revolutions, which must endanger the stability and usefulness of the public schools. In this connection I desire to urge the propriety and justice of paying the members of the Board of Education for their services. Most of the members are actively engaged in some employment for a livelihood, and can, therefore, ill afford to spend their time from business to attend to the increasing duties of their office.

"The School Department has now grown to such large proportions that it requires much of each Director's time and attention to properly discharge the duties of his office; especially is this the case with the members of certain committees, such as those belonging to the Committee on School Houses and Sites, the Committee on Classification, etc. It is, therefore, neither just nor fair to expect their services unless they are properly remunerated. The public receives the benefit of their labor, and should as liberally pay them in proportion to the duties required, as other public officers receive for their services."

CONCLUSION.

"In reviewing the history of the School Department for the last year, I have endeavored to present such statistics and suggestions as would be of general interest to the public. The stability and prosperity of our public schools should inspire all with hope, and cheer every heart with gratitude. From a feeble beginning of two teachers and less than a hundred scholars, we have, within a score of years, increased to over three hundred teachers, and nineteen thousand pupils. The history of civilization has no parallel. If our progress in education is a true index of the progress of the people in character, power and resources, then should every citizen feel a just pride in these evidences of prosperity and future greatness.

"To the officers of the School Department our fellow citizens have delegated the responsibility of watching over these schools, and of laying broad and generous the foundation of an educational system which should ever continue to develop a higher moral and intellectual life. Let us then perform our duty faithfully, and seek to breathe into them all possible efficiency. Let us jealously guard them against all sectionalism. Let us suffer no sectarianism, strife or bitterness ever to enter them. 'Let the spirit pervading them be as broad as the ocean, and as free and as pure as the air above.' Let them be kept aloof from party or politics. Let them be wisely guided and guarded. Let them be held steadily to their proper and higher work, and let no cost be spared in supplying them with whatever may be necessary for its accomplishment. Then will our institutions of learning prove a blessing to our city, an honor to our educators, and a benefaction to the Commonwealth.

"Respectfully submitted.

"JAMES DENMAN,
"Superintendent of Public Schools."

R E P O R T

OF THE

DIRECTORS OF THE STATE PRISON,

TO THE

LEGISLATURE OF CALIFORNIA,

RECOMMENDING THE PARDONING OF CERTAIN CONVICTS.

D. W. GELWICKS.....STATE PRINTER.

REPORT.

To the Honorable Legislature of the State of California :

The undersigned, Directors of the State Prison, in accordance with the provisions of an Act of the Legislature, approved March ninth, eighteen hundred and sixty-eight, entitled an Act to authorize the Board of State Prison Directors to recommend the pardoning of convicts in the State Prison, hereby recommend the following named persons, now confined in the State Prison, for Executive clemency :

Name.	County.	When committed.	Term.
W. A. Henderson	Placer	May, 1865	30 years.
Peter Burke.....	Mendocino	July, 1867	25 years.
Joseph Dewell.....	Amador	January, 1863	16 years.
Frank Coffman.....	El Dorado	August, 1864.....	Life.
C. A. Brown	Yolo.....	March, 1867.....	6 years.
John Keller.....	Sacramento.....	September, 1858..	Life.
H. H. McKenzie.....	Shasta	July, 1867	10 years.
F. Blodgett.....	Marin	July, 1864	10 years.
A. H. Merrill.....	Sacramento.....	July, 1864	10 years.
M. McDermott	San Francisco.....	December, 1864 ..	10 years.
David Gordon	Solano	May, 1868	7 years.
Jesus Pizarro.....	Placer	July, 1862	10 years.
Charles Denman	Sacramento.....	May, 1862	15 years.
Henry Lambett... ..	El Dorado	January, 1869.....	4 years.
John Lehman.....	Tuolumne	December, 1859...	15 years.
Henry Wallace.....	San Francisco.....	October, 1863.....	10 years.
Jos. A. Oliver.....	Merced	September, 1862..	30 years.
Peter Metz.....	Sacramento	April, 1858.....	Life.
R. Roberts	Nevada	March, 1863.....	10 years.
John O'Grady.....	San Francisco.....	May, 1866	7 years.
H. F. Nichols.....	Sierra	July, 1867	10 years.
Henry Madison.....	El Dorado	October, 1860.....	14 years.
W. Daniels.....	Nevada	September, 1868..	4 years.

Name.	County.	When committed.	Term.
Jesse McMahon.....	Sacramento	November, 1863..	10 yeras.
W. Farrell.....	San Francisco.....	March, 1865.....	6 years.
James Regan.....	Shasta.....	June, 1867	7 years.
W. T. Gassoway.....	Butte	July, 1864.....	10 years.
Daniel O'Farrel	Yuba.....	April, 1868.....	2½ years.
Vincent Ortega.....	San Bernardino.....	July, 1862	12 years.
Ah Yek.....	Sacramento.....	August, 1865.....	20 years.
Jasper Turner.....	Solano	September, 1868..	3½ years.
Belle Butler.	Nevada	August, 1869.....	1½ years.
Ah Sing.....	San Francisco	September, 1864..	10 years.
Wm. Burch	Los Angeles	July, 1869	2½ years.
Michael Harrigan.....	San Francisco	July, 1861	Life.
George Sneath	Nevada	May, 1865	6 years.
Geo. A. H. Bartlette....	San Francisco.....	July, 1869	1 year.
Sum Shaw	Tulare.....	September, 1868..	5 years.
Frank Smith.....	Yuba.....	March, 1861.....	14 years.
Juan Mungana	Los Angeles.....	January, 1868.....	10 years.
E. B. Foster.....	Mariposa.....	November, 1865..	15 years.
F. E. Waller.....	Placer.....	January, 1864.....	Life.
David Parks	Calaveras	February, 1864...	10 years.
Robert Francis.....	Plumas	September, 1869..	15 years.
Francisco Pizzaro.....	San Francisco	October, 1863.....	Life.
Polimines (Indian).....	Calaveras	January, 1864.....	Life.
Richard Long	San Francisco	September, 1868..	2½ year
Geo. F. Stanton	San Francisco .....	.....	.....
John Woods.....	Humboldt.....	September, 1866..	10 years.
Terrence Smith.....	Nevada	December, 1863...	Life.
James Marshall	Nevada	November, 1862..	14 years.
T. G. Lester	Sacramento	February, 1864...	14 years.

In view of the crowded condition of the cells at the prison, and the fear that the appropriation will not admit of the erection of additional ones the coming year, the Directors may have extended the above list somewhat beyond the limits which they otherwise might have done. It will be seen, however, that quite a number of those recommended have very nearly served out their terms of sentence, the Directors believing that the moral effect of a pardon and restoration to citizenship, even upon the eve of the expiration of their term of imprisonment, would do good.

All of which is respectfully submitted.

W. HOLDEN, Lieutenant-Governor.

H. L. NICHOLS, Secretary of State.

Ex officio State Prison Directors.

STATEMENT
OF THE
COMMISSIONERS

APPOINTED TO SUPERVISE THE CONSTRUCTION OF THE

DEAF AND DUMB AND BLIND INSTITUTE,

RESPECTING THE CLAIM OF

JOHN J. MECREDY, CONTRACTOR.

D. W. GELWICKS.....STATE PRINTER.

STATEMENT.

To the Honorable Senate and Assembly of the State of California :

The undersigned, Commissioners chosen by the Legislature to select a site for a new building for the State "Deaf and Dumb and Blind Institute." and to supervise the construction of the same, respectfully represent :

That John J. Mecredy was the contractor for nearly all the work on the building recently completed near Oakland, the brick and stone masonry excepted ; that he has executed his said contract in good faith, and to the satisfaction of the Commissioners and the superintending architect ; that, from various causes, the cost of his job has much exceeded his calculations, chief among which was the enactment by the last Legislature of the eight hour law, so called, and the trade organizations resulting therefrom, which greatly increased the cost, to him, of every kind of mechanical labor ; that in the execution of said contract they are assured by said Mecredy, and believe, that he has exhausted his private resources ; and it is within the knowledge of the undersigned that a large amount of indebtedness, being about eighteen thousand dollars, for labor and material incurred by him in the executing of his contract, is yet unpaid.

The undersigned respectfully represent that the foregoing deficiencies being for work honestly done, and material furnished for the use of the State, the said Mecredy, and the parties to whom he is indebted, as above recited, are justified in asking for relief, and are entitled to the most favorable consideration of your honorable bodies.

IRA. P. RANKIN,
WM. SHERMAN,
J. A. BENTON,
Commissioners.

A F F I D A V I T .

STATE OF CALIFORNIA, }
City and County of San Francisco, }

John J. Mecredy being first duly sworn, deposes and says :

That he was one of the contractors for the following work upon the Deaf, Dumb and Blind Asylum, in the County of Alameda and State of California, to wit: Carpenters' and joiners' work, wrought and cast iron work, tinsmithing, plastering, painting, glazing, plumbing, gas-fitting and bell-hanging.

In eighteen hundred and sixty-seven, the character of the work, according to the plans and specifications, was changed from common rubble stone to blue stone, ruled and jointed; some of the inside walls were changed from brick to stone; and a large chimney from brick to stone; and wood was substituted for brick partitions; and some of the inside stone walls were taken down after the earthquake and built of wood; and many other changes were made, as per memorial exhibit "C."

The walls were to be completed in February, A. D. eighteen hundred and sixty-eight, ready for the roof, which, according to my contract with the Commissioners appointed by the State, was not so completed when the earthquake came, in October, eighteen hundred and sixty-eight.

In order to proceed with the work, some of the floors were laid and wainscoting put up, and owing to delays in not having the chimneys built through the roof—eleven in number—the building was exposed to the storms of two winters, and the water had to be swept off several times, which caused the flooring (it being dry) to swell; and when it became dry, the joints were considerably open, and some of the chimneys falling inside, damaged the floors considerably; the wainscoting was so open some of it had to be taken down and put up again; and it cost more to putty the joints than the painting cost. Some of the lathing was down in February, A. D. eighteen hundred and sixty-eight, and owing to the building being so delayed, lathing had to be stopped, and was not commenced again until March, A. D. eighteen hundred and sixty-nine. Owing to the delay in finishing the work overhead, some of the work was done over three times, which was rendered necessary by the

falling of stones, etc., and other damages sustained by the progress of the work overhead; and all the changes made and the work done over, added greatly to my costs. There was very many changes made in the original plan of the building, not mentioned in the memorial. The plans and specifications were *entirely* disregarded by Mr. Wilkinson after he assumed the supervision of the construction of the building in eighteen hundred and sixty nine. The architect (under whose directions I was working) was subject to Mr. Wilkinson's instructions—who acted in the place of the Commissioners—and all changes in the original plan of the building had to be made according to his instructions. He had the plumbing in portions of the building changed, making it more costly than provided for in the original specification, the cost of which change was about six hundred dollars. The delay in putting down the hot air apparatus necessitated great expense to me in delay, and taking up and relaying the floor, taking down partitions and enlarging rooms, and making other changes required to be made by Mr. Wilkinson in the rooms occupied by himself. The changes made consisted of putting in sliding doors, etc., etc.

The school opened about the first day of August, A. D. eighteen hundred and sixty-nine; but there were a great number of boys kept there for a long time prior to the opening of the school, also teachers and servants, which caused me great loss in being in the way of and preventing my men from working, besides doing much damage to the building, which had to be repaired. Class rooms had to be changed in order to have the blackboard slates put up to suit Mr. Wilkinson, and all the slate blackboards were put up and cased by his orders, causing great expense and delay.

The blackboard slates were not mentioned in the original specifications. The fact of their not being so mentioned caused the foregoing delay and expense.

It appears from the affidavit of John Wright, Esq., one of the architects, that these and other changes were made, and plans and specifications altered. From the delays and storms of two winters the building settled, and all of the lower floors had to be levelled over again, which it took two weeks to do.

Owing to my constant complaining and many changes from plans and specifications, Mr. Sherman, the Chairman of the Building Committee, came over to the building and said to me: "You have done the thing that is right. Go on and finish the building, and we (meaning the Commissioners) will see that the Legislature will pay you all that is due you for labor and material furnished on the building; also what you calculated to make on your contract, and something for your time."

Mr. Saxe, one of the Commissioners, told me, at two different times, when he was over examining the building, that he would see that I would be paid. Under these promises I completed the building.

Mr. Wilkinson, Principal of the school, told me several times, previous to the completion of the building, that he would see that a bill was passed by the Legislature to pay me, and asked me for a list of what I owed for labor and materials furnished for the building, and to whom such amounts were due, which I furnished him with; and just before he first came to Sacramento to get the bill for the relief of the Commissioners introduced, I asked him the amount of the bill he would have introduced for my relief, to which question he made no reply. About two weeks afterwards I asked him the same question, to which he made no reply. After this, I called on Mr. Sherman, who told me that no bill

would be introduced for my relief until they (the Commissioners) got their's through, to pay the debts they had incurred ; and after these promises and delays, Mr. Wright, one of the architects, and the one who superintended the building, told me that Mr. Wilkinson said to him to say to me, that he (Wilkinson) would not have a bill introduced for my relief; that I could do it myself, and that he (Wilkinson) would assist me in getting it passed by the Legislature.

I never told Mr. Wilkinson how much I wanted, nor what my bill was.

They have occupied the building as an asylum since about the first of August, A. D. eighteen hundred and sixty-nine.

Mr. Wilkinson, on several occasions, in the presence of my men, said the State would pay all that was due me, and if he was a rich man, or had the money, he would pay all for five per cent. discount, saying he was *positive* the Legislature would pay it.

One of my bondsmen said to me, as the Commissioners had broken the contract in changing the plans and specifications, and not having the walls of the building ready for the roof in February, A. D. eighteen hundred and sixty-eight, he, as one of my bondsmen, was relieved from his bond, and that I might throw up my contract or make them pay for the changes directed by them to be made. I told him that I never took a job that I did not finish, and that I would finish this one, for the Commissioners had so far acted as gentlemen toward me, and from what they had said to me, I would go on and finish it.

JOHN J. MECREDY.

Subscribed and sworn to before me, this twenty-first day of March, A. D. eighteen hundred and seventy.

[SEAL.]

MATT. F. JOHNSON,
Notary Public.

A F F I D A V I T .

STATE OF CALIFORNIA, }
City and County of San Francisco, }

John Wright having been duly sworn, deposes and says :

I am a member of the firm of Wright & Sanders, architects, of the City and County of San Francisco, State of California.

That the said firm were the architects of and for the Deaf, Dumb and Blind Asylum, in the County of Alameda, State of California, and that the said asylum was built and constructed under their supervision and direction. That the changes in the construction of the said building were made (after the signing of the contract for its erection by John J. Mecredy) at the request and by the direction of the members of the Building Committee of said asylum, appointed by the State Legislature in eighteen hundred and sixty-six. That the said alterations in said building consisted, among other changes, in the following, to wit: The outside walls were changed from common rubble to blue stone; some of the inside walls were changed from brick to stone. These changes from the original plans and specifications were made under my direction and supervision, in accordance with the views of the Building Committee aforesaid. That the above mentioned changes involved a great outlay of time and expense, that was not foreseen at the time of the signing of said contract for the erection of the said asylum by the said John J. Mecredy. That in consequence of the various delays experienced in the completion of the said asylum, arising from said changes made in the original plans and specifications, the said John J. Mecredy has been put to great expense, and suffered considerable loss, and has a just and equitable claim against the said State therefor. And I further declare and say that I do not believe that any contractor in the said city and State would, under the foregoing delays and difficulties, have acted so honorably to the State, as to finish the building, under his contract with the Commissioners.

JOHN WRIGHT.

Subscribed and sworn to before me, this eighteenth day of March,
A. D. eighteen hundred and seventy.

[SEAL.]

F. O. WEGENER,
Notary Public.

MEMORIAL.

The memorial of John J. Mecredy, a citizen of the United States, and a resident of the City and County of San Francisco, State of California, to the Senate and Assembly of the State of California, respectfully shows :

That, on the nineteenth day of August, A. D. one thousand eight hundred and sixty-seven, your memorialist, who for many years had been a contractor in this State, and by hard labor and by strict integrity had acquired for himself a lucrative business and an extensive credit, entered into a contract with the Commissioners appointed by your honorable bodies, for the purpose of erecting an Asylum for the use of the Deaf, Dumb and Blind, to perform certain work upon the said building, as specifically set forth in the articles of agreement, a copy of which is hereunto annexed and marked Exhibit "A."

That, subsequently to the execution of the contract aforesaid, the materials of which the walls and partitions of the said Asylum were to have been composed were changed, and various alterations also were made in the mode of construction; the result of which was that the building which, according to the contract aforesaid, should have been ready for roofing in February, A. D. one thousand eight hundred and sixty-eight, was not advanced to that point by October of that year, when the great earthquake occurred and still further retarded your memorialist in the performance of his agreement.

That, in consequence of this protracted delay, for which he was in no sense responsible, your memorialist was subjected to very heavy losses, which he would not have incurred had the stone work and brick work been completed according to the specifications on which his estimates were based; which said losses are referred to in the last official report of the Commissioners aforesaid, a synopsis whereof, taken from the *Evening Bulletin*, is hereunto annexed and marked Exhibit "B," and are specifically presented in a statement also annexed hereunto and marked Exhibit "C."

That the losses enumerated, as above stated, may be shortly classified as follows :

First—Those which resulted from the operations of the eight-hour law, which caused considerable difficulty in the procurement of competent mechanics who would work on the old terms of ten hours per day. Your memorialist, himself a mechanic and in full sympathy with mechanics throughout the State, desires to be clearly understood by your honorable bodies as making no complaint against this enactment, which in itself he deems to be most just and beneficial. His estimates, however, were framed under the former system, and but for the delay above mentioned, the execution of his contract would not have been affected by the new law for more than one month at the utmost, whereas, in fact, your memorialist was affected by the eight-hour rule for more than eighteen months. During the whole of this period the entire time of your memorialist and his son was closely occupied in superintending and in executing some of the more difficult parts of the work, and your memorialist was thus prevented from making other engagements and from attending to any other business.

Second—Those which resulted from the increase in the expense of hauling lumber and other materials, which exceeded by nearly one hundred per cent. the amount for which your memorialist had originally contracted. For, when the sub-contractors found that the construction of the building would be delayed, they abandoned their contracts, and, at a season of the year when there was a great demand for teams for agricultural purposes your memorialist was compelled to employ teamsters casually, as he could procure them.

Third—Those which resulted from the injury or destruction of materials deposited on the ground under the supposition that the work would proceed according to the original contract. For instance, two hundred barrels of lime became "air-slacked" and had to be sold for two-thirds of their cost to your memorialist. The laths, from long exposure to the air, became so hardened that it was almost impossible to drive nails through them, which caused the lather to give up his contract, and that part of the work cost thirty per cent. over the estimate. Lath nails also rose from nine to fifteen dollars per keg.

Fourth—Those which resulted from the extra expense of laying floors, putting up partitions, etc., caused by the alterations in the masonry of the building. This extra expense amounted to over three hundred per cent. more than your memorialist would have had to pay under the original agreement.

Fifth—Those which resulted from the great and rapid rise in the price of lumber and other materials used in the building just subsequent to the time when your memorialist would have completed his contract if the delays referred to had not occurred.

From the foregoing and other causes which can be exhibited in detail if the requisite opportunity be afforded, your memorialist has incurred an actual net loss of upwards of thirty-five thousand dollars, without including a profit of eight thousand dollars which he would have realized if he had been able to perform the work under the terms of his contract, and exclusive also of the injury he has received in his credit as a mechanic and contractor, from his inability to fulfil his engagements. For your memorialist having exhausted all his means, and having even sacrificed a policy of insurance for ten thousand dollars, which he had made for the benefit of his family, in order to complete the work satisfactorily to the Commissioners under the adverse circumstances herein above detailed, now owes debts for labor and materials to the amount of about nineteen thousand dollars, a statement whereof is hereunto annexed and marked Exhibit "D."

Your memorialist therefore appeals to your honorable bodies, not only on his own account, but on behalf of his creditors, for that relief to which, as against a private individual, he would be entitled in a Court of law, and which he feels assured, when his case is circumstantially laid before you, and the facts proved by full and competent testimony, you will award as an act of simple justice; and if your honorable bodies will appropriately refer the bill which accompanies this memorial, though the means of your memorialist are very limited, he will have his witnesses and attorney present at any time and place that may be appointed, to submit and prove his claim.

And your memorialist has the honor to be,

Very truly, your obedient servant,

J. J. MECREDY.

HENRY E. HIGHTON, Attorney for Memorialist.

EXHIBIT "A."

Articles of agreement, made the nineteenth day of August, in the year of our Lord one thousand eight hundred and sixty-seven, by and between the State of California, by Ira P. Rankin, A. W. Saxe, Wm. Sherman, J. L. Downing and J. A. Benton, Commissioners appointed by the last Legislature for the purpose of erecting a building for the use of the deaf and dumb and blind, in the Township of Oakland, Alameda County, California, of the first part, and John Joseph Meeredy, of the City of San Francisco, California, builder, of the second part, as follows, namely:

The said party of the second part, for and in consideration of the covenants and agreements hereinafter mentioned, doth, for himself, his executors, administrators and assigns, covenant and agree that he, the said J. J. Meeredy, shall and will, within the space of eleven months next ensuing the date hereof, to wit: on or before the first day of August, in the year of our Lord one thousand eight hundred and sixty-eight, in good and workmanlike manner, and according to the best of art and skill, well and substantially erect and complete the whole of the carpenters' and joiners' work, plasterers' work, painters' and glaziers' work, plumbers', gas-fitters' and bell-hangers' work and tinmiths' work, and deliver the said work to the said parties of the first part, free and discharged of all claims, liens and charges whatsoever; to be erected, built up, set up, finished and delivered as above mentioned, on a piece of ground situated in the northern part of the Township of Oakland, Alameda County, California, according to the plans, specifications, conditions and stipulations made by Messrs. Wright and Sanders, of San Francisco, architects, under whose supervision the whole is to be performed, the contents whereof are as follows, which plans, specifications and stipulations are hereunto annexed and made part of this contract:

Number one—First floor plan.

Number two—Second floor plan.

Number three—Third floor plan.

Number four—Front elevation.

Number five—Rear elevation.

Number six—South elevation.

Number seven—Transverse section on line A.

Number eight—Sections B and C.

And the said party of the second part further covenants and agrees, for himself, his executors, administrators and assigns, to furnish, at his own cost and charges, all the materials which may be requisite for the construction of the carpenters' work, joiners' work, plasterers' work, painters' and glaziers' work, plumbers', gas-fitters' and bell-hangers' work and tinmiths' work, according to the said plans, specifications and stipulations aforesaid; and to ensure on his part the performance of this part of these presents, it is further covenanted and agreed that Messrs. Wright and Sanders, architects, shall superintend the construction of said build-

ing, and who shall have power to inspect and accept or reject, with the concurrence of the Building Committee, any work done or materials it may be proposed to use in or about the construction of the building aforesaid, not in conformity with said plans, specification and stipulations. And the said party of the second part further covenants and agrees, for himself his executors, administrators and assigns, to have the roof on the building by the first day of May next ensuing the date hereof. And the said party of the first part, as aforesaid, in consideration of the above premises, do, for themselves and their successors in office duly appointed, covenant, promise and agree well and truly to pay, or cause to be paid, in instalments, to said party of the second part, his executors, administrators or assigns, the sum of fifty-two thousand dollars, United States gold coin, for the performance and execution of said works and furnishing the materials therefor on said building, in manner following, except as hereinafter stated, that is to say: payments to be made in monthly instalments, as the materials shall be furnished and the works proceed, to the value of seventy-five per cent. of the amount of the materials furnished and work done and certified to by the said architects, and the residue of the said sum above seventy-five per cent. on the said value of the said works and materials within thirty days after the whole of the said materials and works shall have been certified to have been completed according to the said plans, specifications, conditions and stipulations, to the satisfaction of the said architects. And it is further covenanted and agreed between the aforesaid parties, that all alterations of the annexed plans and specifications by which the cost of the building may be either increased or diminished, shall be indorsed on these presents or articles, and signed by all the parties hereto before they shall be deemed binding on either party; and the parties of the first part shall have the right, without liability for any damages, by giving thirty days' notice to the party of the second part, to suspend the work on this contract at any time, provided they shall have first fully paid unto him for whatever materials and work which shall then have been furnished and done at the time of such suspension, and in which case the number of days the works are so suspended shall be added to the time for the completion of the contract. And the party hereto of the second part doth further covenant and agree to resume the work on this contract at any time, upon ten days' notice being given from the party of the first part to the said party of the second part.

In witness whereof, the said parties have hereunto set their hands and seals, the day and year aforesaid.

IRA P. RANKIN, [SEAL]
President.

J. A. BENTON, [SEAL]
Secretary of the Commissioners of the Deaf, Dumb and Blind Institute.

JOHN J. MECREDY. [SEAL]

Signed and sealed in the presence of WARRING WILKINSON.

EXHIBIT "B."

REPORT OF COMMISSIONERS OF DEAF, DUMB AND BLIND INSTITUTE.

Our Sacramento correspondent forwards the following synopsis of the report of the Commissioners of the Deaf and Dumb and Blind Asylum:

The Commissioners present their final report. They were appointed in eighteen hundred and sixty-six, reported progress in eighteen hundred and sixty-seven, and were reappointed, that they might finish their work, in eighteen hundred and sixty-eight. The occurrence of the great earthquake in October, eighteen hundred and sixty-eight, prevented their making a final report in April, eighteen hundred and sixty-nine, as they expected and were directed to do. Now the edifice is substantially completed, and occupied by the officers, teachers and pupils of the Institute. The site selected was one of many examined and finally determined on April first, eighteen hundred and sixty-seven.

In May the plan designed by Wright and Sanders was adopted, and in July the contract for the stone work of the building, for sixty thousand dollars awarded to J. S. Emery, of Oakland, and the remainder of the work, in August, to John J. McCreedy, of San Francisco, for fifty-two thousand dollars, and eight thousand six hundred dollars additional for building the exterior lavatories. The corner-stone was laid by Governor Low, with appropriate ceremonies, September twenty-sixth, eighteen hundred and sixty-seven. Storms in the following winter delayed its completion beyond the twelve months agreed on. The earthquake threw down the ornamental chimneys and high gable peaks, the mortar being yet green, and the falling material injured work below and did much damage, requiring weeks for repairs. After full consideration it was thought too great a hardship to throw the cost of these repairs upon the contractor, and the Commissioners borrowed nine thousand dollars from the Bank of British North America, on the faith and credit of the State, to pay for work and material requisite to restore the building to its former condition, which was done and a strict account kept of the outlay. A special appropriation of nine thousand dollars to repay this loan is requested. Apart from the repairing of these damages there have been very few "extras" added to the contract price. The contractors have performed their work faithfully and the building does them credit. But in consequence of a severe winter, unusual difficulties and delays, the rise in the cost of materials, the earthquakes, but especially the increased price of labor, growing out of the enactment of the eight-hour law, both contractors have suffered considerable losses—McCreedy, who did all but the stone work, losing most heavily. Both are recommended to the

consideration of the Legislature for their own sake and their creditors, many of whom are poor men.

The Commissioners now desire to turn over to the State the land and buildings, and ask the appointment of a committee to examine them and all the proceedings of the Commissioners. The labor involved in their duties was greater than expected, but their work has prospered. The land and buildings have cost, as they now are, one hundred and fifty-eight thousand and ninety-eight dollars and thirty cents, or one hundred and twenty-four thousand dollars over and above the proceeds of the old buildings and grounds. The property is now worth not less than two hundred and fifty thousand dollars. In architectural appearance and adaptation to its uses, few, if any, buildings in the country surpass it. Its water supply, view, etc., are superior, and it is capable of great extension, and can be almost doubled in capacity at a small expense. They are pleased with and congratulate themselves upon their work, and retire with the proud consciousness of having done the State an honorable and good service.

IRA P. RANKIN,
A. W. SAXE,
WILLIAM SHERMAN,
J. A. BENTON,
Commissioners.

EXHIBIT "C."

Specification of the losses incurred by J. J. Mecredy, upon the work at the Deaf, Dumb and Blind Asylum, in consequence of the delay caused by alterations in the stone work, etc.

Loss resulting from change of walls from brick to stone, per yard—		
Plugging and furring, 27 cents per yard.....	} Whole amount of loss.	
Lumber for plugging and furring, 9 cents per yard.....		
Lathing, 11 cents per yard.....		
Nails, 2 cents per yard.....		
Putting on laths, 5 cents per yard.....		
Putting on plaster, 6 cents per yard		
Cost per yard, 60 cents.....		
Number of yards put up, at 60 cents per yard....	650	\$390 00
Paid carpenters.....	\$25,000 00	
Due carpenters.....	4,233 00	
Total for carpenters.....	\$29,233 00	
Cost if alterations not made.....	12,000 00	
		17,233 00
Hauling lumber cost	\$2,250 00	
Amount as per contract abandoned through delay	1,500 00	
		750 00
Hauling sand, paid per barrel.....	\$0 83	
Amount as per contract abandoned through delay	46 $\frac{3}{4}$	
2,065 barrels hauled, at.....	\$0 36 $\frac{1}{4}$	750 20
Hauling lime, paid per barrel.....	\$0 30	
Amount as per contract abandoned through delay	20	
620 barrels hauled, at.....	\$0 10	62 00
200 barrels lime, air slacked, cost.....	\$600 00	
Ditto sold for.....	200 00	
		200 00
Hauling plaster of Paris, paid per barrel.....	\$0 45	
Ditto as per contract abandoned through delay..	20	
Number of barrels hauled, 110.....	\$0 25	27 50
Lathing, per thousand, cost.....	\$3 00	
Ditto, per thousand, per abandoned contract.	2 00	
247,000 put on.....	\$1 00	247 00
Carried forward		\$19,659 70

EXHIBIT "C"—Continued.

Brought forward.....		\$19,659 70
Extra on 20 kegs lath nails.....		120 00
Extra on 100 kegs common nails.....		: 00 00
Setting partitions before floors laid—		
Cost per square of 10 by 10 feet.....	\$4 50	
Cost when floors are laid.....	1 50	
85 squares laid.....	\$3 00	255 00
Laying floors before partitions set—		
Paid for laying per square.....	\$4 00	
Without partitions set.....	62½	
64 squares laid.....	\$3 37½	216 00
Cost of laying on double floors—		
Paid for laying per square.....	\$2 00	
Without floors.....	62½	
188 squares lai.....	\$1 37½	211 50
Firring walls before floor laid—		
Paid per yard.....	\$0 27	
C. st after floors laid.....	15	
8,000 yards laid.....	\$0 12	960 00
Inside firring—		
Cost per yard.....	\$0 60	
Number yards firred, 2,500.....		1,500 00
Extra double floor—		
Thirty thousand feet, at \$25.....		750 00
Freight on same, \$2 per thousand.....		60 00
Wharfage at Jacob's Landing, 40 cents; in city, 50 cents.....		27 00
Hauling in city and to building.....		105 00
Planing and hauling to mill, \$8 per thousand.....		240 00
Nails used in laying, 6 kegs.....		50 00
Labor in putting down.....		300 00
Five thousand feet broken by falling of chimney and gables, at \$40.....		200 00
Three thousand broken of tongued and grooved, at \$50....		150 00
Extra lathing in third story on walls changed from brick and stone to studding, at 18 cents per yard, 417 yards....		75 06
Firring and lathing front porch.....		125 00
Rough pine lumber, 30,000 feet, at \$7 per 1,000.....		210 00
Dressed flooring, 20,000, at \$7.....		140 00
Roof boards, 200,000, at \$8.....		1,600 00
Redwood, second quality, 10,000, at \$5.....		50 00
Redwood, first quality, 50,000, at \$9.....		450 00
White pine, 15,000, at \$20.....		300 00
Laths, 100,000, at \$7.....		700 00
Mahogany, 2,500 feet, at \$12.....		300 00
Making sash, blinds, casings, mouldings and doors (on account of eight-hour law.....		500 00
Carried forward.....		\$29,454 26

EXHIBIT "C"—Continued.

Brought forward.....		\$29,454 26
Redwood wainscoting, 35,000, at \$15.....		525 00
Loss on 620 barrels of lime, at 25 cents.....		155 00
Loss on 110 barrels of plaster, \$1 50.....		165 00
Tin work—		
Cost	\$1,768 00	
Contract	1,300 00	
		468 00
Galvanized conductor pipes.....	\$660 00	
Contract	443 00	
		217 00
Thirty-six boxes tin, \$12 50.....	\$450 00	
Contract, \$10 50	360 00	
		90 00
Solder		35 00
Painting—		
Paid for labor.....	\$3,562 00	
Stock	1,800 00	
	\$5,362 00	
Amount of contract.....	2,500 00	
		\$2,862 00
Iron work—		
Paid for same.....	\$1,682 00	
Contract	1,225 00	
		457 00
Plastering—		
Paid for same.....	\$2,725 00	
Contract.....	1,911 00	
		841 00
		<u>\$35,269 26</u>

EXHIBIT "D."

Specifications of debts due from J. J. McCreedy, on account of work and materials on the Deaf, Dumb and Blind Asylum, included in the claim against the State, now presented.

Amounts due to carpenters—			
To John Elford.....	\$190	75	
To Fred'k Dalk.....	446	00	
To Daniel Frost.....	77	00	
To Michael McManus.....	261	00	
To Peter Herring.....	255	00	
To Lamb & Son.....	360	00	
To John Dann.....	410	00	
To Thomas McCreedy.....	468	00	
To Port.....	244	00	
To Ed. Farrell.....	900	00	
To Richard Boden.....	48	00	
To John G. McCreedy.....	1,668	00	
To Thomas Porter.....	300	00	
To Patrick Hannan.....	56	00	
			\$5,683 75
Amounts due to painters—			
To Nahum Poland.....	\$1,048	00	
To John Lemond.....	374	00	
To Dick Herring.....	210	00	
			1,632 00
Amounts due to plumbers—			
To McNally & Hawkins.....			950 00
Amounts due for lime and plaster—			
To J. H. Holmes.....	\$1,125	00	
To — Kellelt.....	144	90	
To — Basham.....	67	00	
			1,336 00
Amount due for wrought iron—			
To Adam Watson.....			140 00
Amount due for cast iron—			
To Nutting & Son.....			682 00
Amounts due for hardware—			
To Hawley & Co.....	\$469	00	
To — Reed.....	162	62	
To Rockwell, Coye & Co.....	95	00	
			726 62
Amount due for paints and oil—			
To Whittier & Fuller.....			957 62
Amount due for tinning—			
To — Dalzell.....			688 59
Carried forward.....			\$12,796 58

EXHIBIT "D"—Continued.

Brought forward.....		\$12,796 58
Amount due for plastering—		
To John Smith.....		575 00
Amount due for teaming—		
To ——— McCutcheon.....	\$80 00	
To ——— Davis.....	44 00	
		124 00
Amounts due for lumber—		
To Haywood & Jacobs.....	\$1,710 27	
To Wetherbee.....	258 00	
To Meigs & Gawley.....	338 00	
To A. & J. Hooper.....	198 00	
To A. P. Hooper.....	98 00	
To ——— Thomas	179 00	
To Hobbs & Gilmore.....	581 67	
		3,362 94
Amounts due for mill work—		
To Blithan & Terry.....	\$936 08	
To Meeker & Co.....	781 00	
		1,717 70
Amount due for graining—		
To Coony & Bro.....		137 90
Total.....		\$18,714 12

R E P O R T

OF THE

Committee on Commerce and Navigation,

RELATIVE TO

SUBSTITUTE FOR SENATE BILL NO. 534.

D. W. GELWICKS.....STATE PRINTER.

R E P O R T .

Mr. SPEAKER: The Committee on Commerce and Navigation, to whom was referred the substitute for Senate Bill No. 534—An Act to provide for the improvement of the water front of the City and County of San Francisco—having had the same under consideration, report the same back and recommend its passage.

The object of the bill is to provide for the speedy completion of the sea wall in the Harbor of San Francisco, a general reduction of thirty per cent. in the rates of tolls, dockage and wharfage, and the total abolition of tolls upon hacks and carriages carrying passengers to and from vessels. In order to complete the work, the City and County of San Francisco is to issue bonds, not to exceed a million of dollars, which bonds are to be sold by the Governor for the purpose of raising the requisite amount. The bill has the sanction of the State Harbor Commissioners, of the city authorities of San Francisco, of the Chamber of Commerce and leading citizens of that city. The passage of the bill will insure the speedy completion of a great and much needed State improvement and secure the immediate reduction of onerous port charges, which now impose heavy taxes upon every interest in the State which is at all allied with commerce; and, in the opinion of your committee, the interests of the State will be greatly subserved by the immediate passage of the measure under consideration.

All of which is respectfully submitted.

ROCKWELL, Chairman.

REPORT

OF THE

Joint Committee on State Hospitals,

ON THE ADAPTABILITY OF THE

STATE REFORM SCHOOL BUILDING

FOR OTHER STATE PURPOSES ;

ALSO, REPORT ON THE MANAGEMENT AND CONDITION OF THE VARIOUS
INSTITUTIONS RECEIVING AID FROM THE STATE OF CALIFORNIA.

D. W. GELWICKS, STATE PRINTER.

REPORT.

To the Honorable the Senate and Assembly of the State of California :

GENTLEMEN: In pursuance of the request embodied in Concurrent Resolution No. 22, that the Joint Committee on State Hospitals should visit the grounds and buildings near the City of Marysville, formerly occupied as a State Reform School, for the purpose of recommending its adaptability for some use for State purposes, or for some disposition of the same, said committee beg leave respectfully to report :

That on the —— day of February, eighteen hundred and seventy, they proceeded to Marysville for the purpose of investigating into the propriety of devoting the building in question to some State purpose. With every wish to conciliate and gratify the inhabitants of Marysville, who evince a very general, in fact, almost universal desire, to have the building converted, either into an hospital for the reception of idiots and incurables, with which the State Lunatic Asylum is now encumbered, or to be used as a State Hospital and Almshouse, your committee are reluctantly constrained to decline recommending said building for such purpose, as, from all the sources of information open to them, they have arrived at the conclusion that the location does not possess the requisites to be desired, in a sanitary point of view; that it is in an isolated situation, and does not command that facility of access so necessary for the patients who would have to be transported thither from all parts of the State; besides, the building is very defective in its construction, and the alterations necessary to be effected therein, for the purpose of adapting it to the purposes above indicated, would entail a heavy expense on the State.

In consideration of all the circumstances mentioned, your committee cannot consistently recommend the adaptability of the State Reform School building for any State purpose at the present juncture.

McDOUGALL, Chairman,
N. M. ORR.

R E P O R T

To the Honorable the Senate and Assembly of the State of California :

GENTLEMEN : Your Joint Committee on State Hospitals beg leave respectively to report that, on Monday, the twenty-fourth day of January, eighteen hundred and seventy, they proceeded from the Capitol to the City of Stockton, as the most accessible and convenient point at which to commence the discharge of the duties assigned to them as a visiting committee, to examine into the management and condition of the various institutions receiving aid, in the way of appropriations, from the State of California.

Having organized by appointing the Honorable F. A. McDougall Chairman, D. D. Spencer acting as Secretary, they were waited upon by Dr. Shurtleff, the Resident Physician, who accompanied them to the

STATE INSANE ASYLUM.

Here the committee made as thorough an investigation of the internal economy and management of the institution as the necessarily brief period of their visit permitted, and they are gratified to state that the result thereof was as satisfactory to them as it is creditable to those in charge of the Asylum. The building which was in course of erection, or in an unfinished condition, at the period of the former visit of the Joint Hospital Committee, about two years ago, is now completed, and fitted up for the reception of female patients, in addition to the two main buildings occupied by the male and female patients respectively, the former six hundred and eighty-one, and the latter two hundred and sixty in number. A block of cheap frame buildings has been erected within the last twelve months, at a short distance from the old edifice. This has, in some measure, relieved the present crowded state of the institution. This inconvenience, we trust, will be more effectually remedied by the creation of a State Hospital and Almshouse, a bill for the establishment of which is now before the Legislature.

The extensive grounds pertaining to the Asylum are neatly laid out, and adorned by handsome shrubberies and plantations of forest trees.

For more detailed and statistical information regarding this institu-

tion, members of the Legislature are respectfully referred to the seventeenth annual report of the Superintendent, ending September thirtieth, eighteen hundred and sixty-nine, where will be found a full statement of the number of patients, those discharged cured and partially cured, as well as the number of deaths, escapes, etc.

The biennial report of the Treasurer gives a clear statement of the financial condition of the Asylum, and from the report of the Board of Directors may be inferred the amount of appropriations required.

Your committee would urge the necessity for the appointment of a more numerous medical staff, the number of medical attendants at present employed being inadequate to the fulfilment of the professional duties which devolve upon them.

SAN FRANCISCO INDUSTRIAL SCHOOL.

Although this institution belongs exclusively to the City and County of San Francisco, yet it falls within the province of your committee to visit and report thereon, as it has occasionally received pecuniary aid from the State, and is now applying for a further appropriation.

The Industrial School has been the subject of very unfavorable comment, throughout the press of the State, on account of alleged barbarous treatment of its inmates by those placed in authority over them. This abuse has, we believe, in a great measure been rectified, and some salutary reforms effected in the conduct and discipline of the institution, amongst which we may mention the exclusion of females, in accordance with the system originally contemplated; nor are there nearly so many grown up boys, in comparison with those of more tender years, as there were on the occasion of the previous visit of the Committee on State Hospitals.

The inmates, one hundred and twenty-eight (128) in number, receive instruction daily in the rudimentary branches of education; some of the pupils are tolerably proficient, particularly in vocal music, and in the opinion of the Superintendent, they compare favorably with boys in public schools generally; the school room is spacious, airy and well lighted; a few hours daily are devoted to acquiring a knowledge of different trades and employments, that is, all those who have arrived at an age sufficiently advanced to enable them to do any work, are employed as shoemakers, tailors, carpenters, in the laundry, etc. In this connection your committee will state that the President of the school, Mr. Carter, urged very strongly the necessity and propriety of making an appropriation for the purpose of erecting workshops of sufficient size to accommodate all the boys capable of learning trades, in order thus to make the school, in a great measure, self-supporting, which object your committee deem attainable to a greater or less degree.

A new kitchen and dining room are required, the erection of a solid wall around the building, including the play ground, is also looked on as essentially necessary; for these purposes, and to pay the present indebtedness, amounting to eleven thousand dollars (\$11,000), an appropriation of sixty thousand dollars (\$60,000) is asked for.

Your committee would here renew the suggestion which was made by their predecessors at the last session of the Legislature, namely: the establishment of a school ship, according to the plan adopted by the State of Massachusetts, where the boys are trained on board of a vessel, fitted up for the purpose of preparing them for nautical and other pursuits, and furnished with competent instructors therein.

LADIES' PROTECTION AND RELIEF SOCIETY.

This society is not the least important amongst the various asylums and institutions in San Francisco, and in common with them, during the seventeen years of its existence, has afforded relief and shelter to hundreds of the needy and unfortunate. The denomination of the society fully explains its objects. In furtherance thereof, and in view of its present depressed financial condition, your committee would recommend that a liberal appropriation be made for the relief of this meritorious institution. The system and management of the charity is most creditable to those humane and generous ladies who conduct it, and who, in their appeals to the State for pecuniary aid, are influenced solely by those feelings of true charity which make others' wants their own.

The children at present in the institution, including some infants, amount to one hundred and seventy-four in number, from the ages of six months up to sixteen years. Nearly one-half are boys under the age of ten years. Their healthy and cleanly appearance, combined with the cheerful expression of their countenances, attest the care and attention bestowed on them.

There are two schools in operation, under the superintendence of two female teachers, where instructions are given in the usual branches of a common school education.

For a more detailed account of this society, your committee beg to refer to the Managers' and Trustees' report, published in September, eighteen hundred and sixty-nine, which is a very interesting document, and well worthy of perusal.

INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND.

Your committee proceeded to visit the Institution for the Deaf and Dumb and the Blind, now permanently located near Oakland, on high and beautiful ground, and in a healthful neighborhood. The building is new, made of sandstone, and substantially and neatly built. It will accommodate a hundred and eighty-seven pupils. The present number is seventy-five, viz : fifty deaf and dumb (twenty-five males and twenty-five females), and twenty-five blind. These two different kinds of pupils occupy the same building, though different apartments. We witnessed exercises in different classes, possessing pupils of different ages and proficiency, both in the blind department and that for the deaf and dumb, and were amused and highly pleased with their proficiency and intelligence. The institution appears to be well conducted in every point of view. Many of the deaf and dumb boys are learning trades; and there is now connected with the institution a shoe shop, where they work from one to two hours a day, under the supervision of a careful and competent overseer. Shoes, both sewed and pegged, were shown us, made by these mutes, of as good workmanship as will be found in the shops of our towns and cities. When more pupils accumulate, as will doubtless be the case, other branches of mechanical industry might be added, which would lessen the expenses of the institution. The grounds are ample, and well suited for recreation of all; the building is well supplied with excellent water from a spring a few hundred yards from the house, and located at sufficient height to carry the water to any part. The workmanship of the blind in producing bead work was remarkable; and every reflecting mind must be delighted with the skill and ingenuity that culture is capable of developing in these unfortunate

youths. Miniature baskets, bowls, chairs and vases, made of beads by these blind pupils, were exhibited, which were admirable, and equal to similar work in any institution in the Republic.

CATHOLIC ORPHAN ASYLUM.

The Catholic Orphan Asylum, situated on Market street, between Third and Fourth streets, San Francisco, is a good edifice, though deficient in grounds and yard room. There were about *three hundred* orphans in the institute, all girls, except a few little boys. There was a small branch institution, in another part of the city, where most of the boys were. The children looked cheerful and happy, and the governesses and teachers had the deportment and manners of persons highly competent to fill their several stations. The school rooms were filled with bright faces, from four years old up to twelve or fourteen. The health of the inmates was remarkably good, and there were but *three* sick in the hospital department. All were pleased with the government of this asylum, as well as with its neatness and cleanliness. The institution has *nine* teachers, all of whom are females.

SAN FRANCISCO ORPHAN ASYLUM.

The San Francisco Orphan Asylum (or Protestant Orphan Asylum) is well situated, on high ground, having a large, beautiful sloping yard, well filled with shade trees. The edifice is a large one, well built, of rock, and well furnished in the interior. At the time of our visit there were *two hundred and twenty-one* inmates, viz: one hundred and thirty boys and ninety-one girls. These all occupied the same building, and were from the ages of *two* years to *fourteen* years of age. The building is furnished with seven bathing rooms, well arranged and supplied with water.

MAGDALEN ASYLUM.

This is an asylum professing to have for its object the reclamation and reform of unfortunate females. We were informed by the Governess that there were now in the asylum seventy-five of this class of persons. A portion of these (about twenty, we should think) were engaged in a room doing needle-work. The rooms were clean, tidy and well furnished.

The building was a good one, though not large enough, and appeared to lack light in the interior. It is situated on high ground, but the yards and grounds are too small to allow room for recreation for the inmates. The females in this asylum were from the age of childhood to forty years. The number reclaimed and allowed to go back to society, we did not learn. The object of the founders is a most laudable one, and if properly conducted would prove a blessing, to a great extent, to the city where it is located.

HOME FOR THE CURE OF THE INEBRIATE.

This institution is located in the City of San Francisco, at North Beach and foot of Stockton street. It is a city and county institution, but has at different times received donations from the State, on account of patients from different parts of the State having been submitted to its care and treatment.

About *two hundred and seventy-five* patients, in all, were treated in the

"Home" last year. But two remained in under treatment at the time your committee visited it.

There are only three attachés and one attending physician, which renders the expenses of the institution quite moderate.

About one-half of those admitted have delirium tremens; and there are five rooms or wards set apart for this class of inmates. The average time each patient remains in the "Home," is about seven days. A rule of the institution is, that no one can be admitted more than three times.

McDOUGALL, Chairman,
N. M. ORR,

Senate.

W. E. EICHELROTH, Chairman,
R. C. FRYER.

J. H. CAROTHERS, M. D.,

T. R. THOMAS,

J. S. THURSTON,

JOHN C. GRISWOLD,

E. W. DOSS, M. D.

Assembly.

MAJORITY AND MINORITY REPORTS

OF THE

Committee on Swamp and Overflowed Lands

RELATIVE TO THE REPEAL OF THE

ACT FOR THE SALE AND CONVEYANCE TO THE SAN MATEO TANNING AND
MANUFACTURING COMPANY OF CERTAIN OVERFLOWED LANDS.

D. W. GELWICKS, STATE PRINTER.

MAJORITY REPORT.

Mr. SPEAKER: Your committee, to whom was referred substitute for Senate Bill No. 53—An Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and report the same back and recommend its indefinite postponement.

Also, Assembly Bill No. 30—An Act to repeal an Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and report the same same back and recommend that it be indefinitely postponed.

McCLASKEY,
KELLEY,
SCARCE,
DOSS,
THURSTON.
O'CONNELL,
OATES,

Of Committee on Swamp and Overflowed Lands.

MINORITY REPORT.

MR. SPEAKER: The undersigned, a minority of the Committee on Swamp and Overflowed Lands, have had under consideration Senate Bill No. 53—An Act to repeal an Act to authorize the sale and conveyance to the San Mateo Tanning and Manufacturing Company certain overflowed lands in the County of San Mateo, approved March thirtieth, eighteen hundred and sixty-eight—respectfully make the following report:

The history of the passage of the original bill is marked, in our judgment, with a bold attempt to defraud the State of a large amount of valuable domain for no other purpose than the enrichment of scheming speculators and unconscionable lobbyists. It was presented and speciously represented that only seventy-five or eighty acres of tide lands were wanted. The "calls" of the bill, when first introduced, circumscribed the territory to this space; but when it finally passed the public were startled with the announcement that it contained about *six thousand acres*.

The agents and lobbyists represented to the Senate and Assembly that the bill only covered about seventy-five acres of land, and hence favorable action was had and the bill became a law. By similar false representation the Governor was induced to sign the Act, and appointed three Commissioners under the law. It is unnecessary to give the names of the Commissioners; but suffice it, that after this appointment his Excellency discovered the wrong about to be inflicted upon the people, and at once took energetic measures to stay the hands of the despoilers of the public treasury and domain. He found that "The San Mateo Tanning and Manufacturing Company" was nothing *more* than a great swindling, trading league, organized "purely for private speculation; and that the 'tanning company' had no tannery, nor was it ever likely to have one!"

In fact, a bolder scheme to defraud the people could scarcely be organized by the most reckless conspirators against the public good.

Governor Haight now found that the time for action had arrived and at once dismissed the first Commission, and appointed to fill their places three well known upright citizens, viz: Lafayette Maynard, Thomas H. Selby and William Corcoran. Those gentlemen assessed the value of the land at one thousand dollars per acre, which would yield to the

treasury six million dollars. The great "San Mateo Tanning and Manufacturing Company" refused to pay, and hence, in our judgment, by the plain reading of section one of the Act (see statutes of eighteen hundred and sixty-seven and eighteen hundred and sixty-eight, page six hundred and sixty-three), they have forfeited all rights, if they ever obtained any. Fraud vitiates all contracts. What more stupendous fraud and misrepresentations can be exhibited than are seen in the incipieny and passage of the Act in question? Nor is the minority of your committee alone in believing this a speculative scheme. The public press, speaking for the people, demands the repeal of this iniquitous enactment, and the passage of the Senate bill.

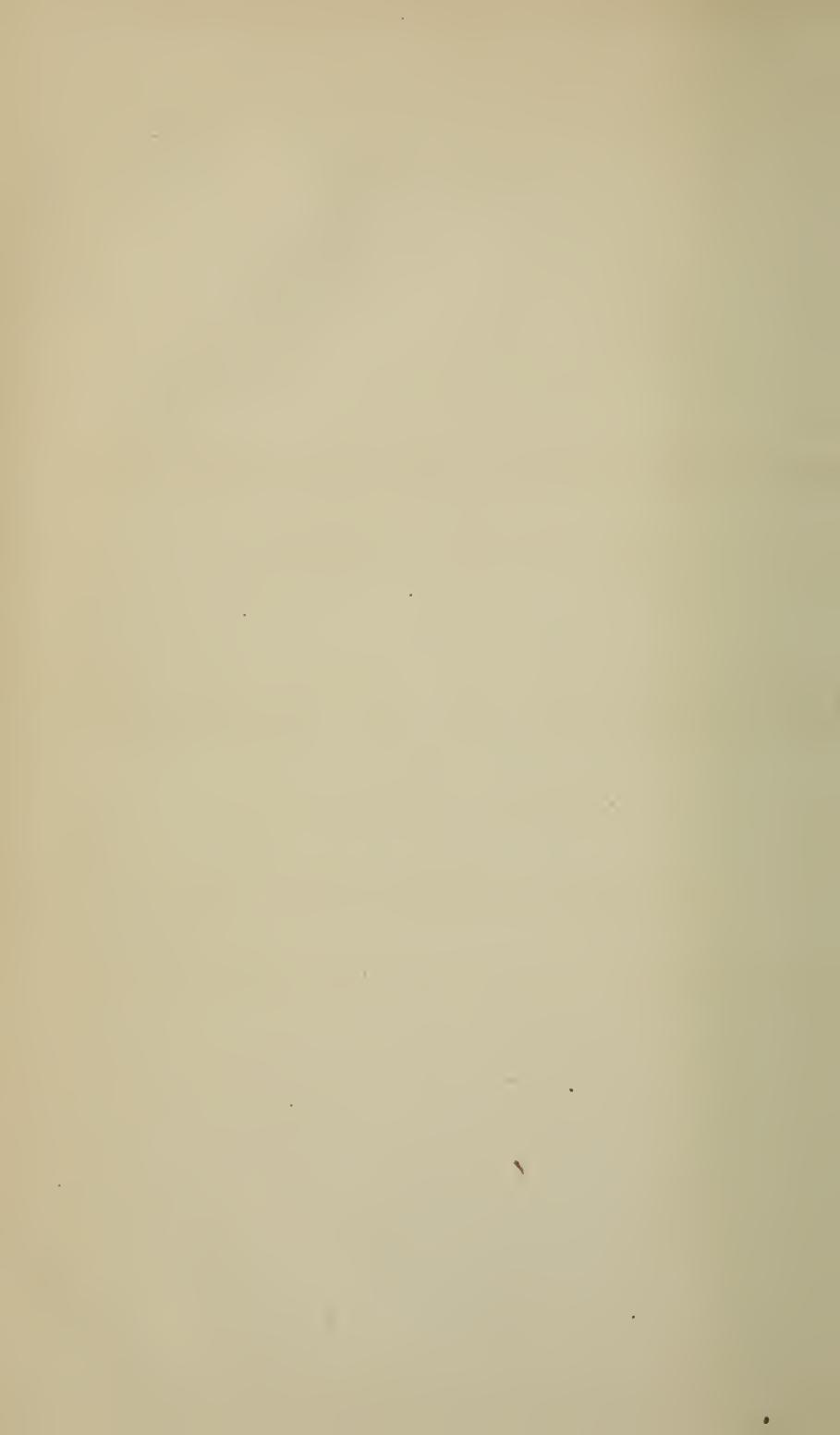
Governor Haight, in his annual message, has called our attention in unmistakably plain language to this infamous Act. On page twenty-second of biennial message, he holds the following explicit language:

At the last session of the Legislature a bill was passed to sell certain tide lands in the County of San Mateo to a corporation styled "The San Mateo Tanning and Manufacturing Company," at a price to be fixed by appraisement of three Commissioners. At the time of the passage of this bill the members of the Legislature were led to believe that the corporation contemplated the prosecution of the business of tanning leather, and desired a tract of tide land of about seventy-five (75) acres, to facilitate their business. The boundaries in the bill were somewhat indefinite, and it was approved mainly because it provided that the Commissioners were to be appointed by the Executive, and furnished, therefore, some security for a fair appraisement. After the close of the session, it appeared that the lands described in the bill embraced about six thousand (6,000) acres, extending from the southern line of San Francisco County several miles southward. The tanning company had no tannery, nor was it ever likely to have one, and it became evident that the land was sought to be obtained purely for private speculation. The Commissioners appointed, under the provisions of the bill, were Messrs. Lafayette Maynard, Thomas H. Selby and William Corcoran, who proceeded to appraise the land described in the Act, and fixed the value at one thousand dollars (\$1,000) per acre, a price somewhat less than the average net proceeds of adjacent lands sold under the Tide Land Act of last session. This appraisal has been duly filed as the Act requires, and notice given to the officers of the company, who, as might be anticipated, have failed to pay the amount of the appraisement. I trust the Legislature will lose no time in repealing the Act in question, and thus protect the State against this attempted imposition.

If the Tide Land Commissioners, appointed under the Farish bill, were authorized to survey and sell the tract sought to be appropriated by this corporation, the proceeds, invested in State and Federal securities, would constitute a fund, the income of which would pay all the present deficiency in the expense of the prison, and probably also support the Deaf and Dumb and Blind and Insane Asylums, and provide any additional amount, if any were needed, for the support of the University.

The minority of your committee conceive that no stronger argument can be made than is embraced in the above extract, and we therefore recommend the passage of the Senate bill.

JAMES A. DUFFY,
C. P. BERRY,
WM. SHORES.



M E S S A G E

OF

GOVERNOR H. H. HAIGHT,

RETURNING WITHOUT HIS APPROVAL

ASSEMBLY BILL NO. 374.

D. W. GELWICKS, STATE PRINTER.

MESSAGE.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 30th, 1870. }

To the Assembly of the State of California :

I herewith return to your honorable body, without approval, Assembly Bill No. 374—An Act to encourage iron mining.

My views on the general subject of offering inducements, in the way of bounties, for engaging in business of any kind, were fully expressed in my message, as follows :

“In monarchies, where the people are kept in leading strings, and business is to some extent dictated and controlled by Government, the impropriety of offering premiums for establishing any particular business may not seem so apparent ; but in this country, where the people are generally intelligent and well informed, and absolutely free to invest their labor and capital wherever it will be most remunerative, it is more in accordance with sound reason, to leave the whole subject of agriculture, commerce and manufactures to be prosecuted in any form by each individual, in accordance with his judgment of the profits to be derived from his investment. When men's fortunes are involved, they will investigate more closely and judge more correctly than legislators can possibly do, and the policy of forcing capital out of one channel into another, either by protective duties or bounties, is rapidly meeting with general disfavor. Such artificial forcing produces no healthy growth, and is not within the legitimate province of government. Besides, it degenerates almost always into combinations to plunder the treasury for private benefit. If government will confine itself to its legitimate sphere, in the protection of life and property, the business men of the country, whether farmers, merchants or manufacturers, will determine for themselves in what channels their labor and capital can best be employed, and to what subjects they can best be applied.”

In addition to these views, which I have seen no occasion to change, there is a special objection to this bill, in that it singles out a particular company, without inviting any competition, and offers to that company alone, the sum of sixty thousand dollars for the production of a certain quantity of iron. It would take but a slight expansion of such a precedent to embarrass, seriously, the State treasury.

H. H. HAIGHT,
Governor.

REPORT

OF THE

COMMITTEE ON CLAIMS

RELATIVE TO

ASSEMBLY BILL NO. 581.

D. W. GELWICKS.....STATE PRINTER.

REPORT.

MR. SPEAKER: Your Committee on Claims would ask to submit the following report on Assembly Bill No. 581—an Act for the payment of certain demands audited against the Copying Fund of the Assembly, in the year eighteen hundred and sixty-one. This is a claim presented by the assignee of J. M. Anderson, for copying done by said Anderson, as Clerk of the Assembly, at the twelfth session of this body:

Your committee have examined evidence touching this claim, and also a report made on the facts connected with it by the Committee on Claims of this body, at the fourteenth session. This report is found in the printed Journal of the Assembly, fourteenth session (eighteen hundred and sixty-three), pages six hundred and twenty-seven and six hundred and twenty-eight.

The committee would refer to this report in presenting the facts of the case.

Taking the facts stated in that report as granted, in connection with the facts presented to them, it appears:

That during the twelfth session of this honorable body, J. M. Anderson was the Clerk of the Assembly;

That he did all the copying work of the Assembly, and the Assembly settled with him directly for the same, he paying his own assistants;

That from time to time bills or accounts were presented to the Assembly for copying work, which were referred to an Auditing Committee, and by this committee audited for whatever was found to be correct;

That this committee made reports on these claims, and a resolution was reported and adopted for their payment;

That at that time—owing probably to the fact that the State was not able to meet, as they accrued, all demands—a fund was created for the payment of these demands, styled the Copying Fund;

That these accounts, when reported on and passed, were attested by the signature of the Speaker of the Assembly and the Clerk.

The claim for which an appropriation is asked by this bill, is described in the report referred to, and consists of two audited accounts for copying work done by said Anderson—one for seven hundred and eighty dollars, the other for three hundred dollars. Their correctness as claims for copying, payable out of said Copying Fund, is fully admitted by the report referred to. Each was signed by the Chairman of the Auditing Committee; also, by "R. Burnell," Speaker of the Assembly, and "J. M. Anderson," Clerk of the Assembly.

At this time the law prohibited the Controller from drawing a warrant for any money unless there was an appropriation for its payment, and money in the fund to meet the warrant. These audited demands—so long as there was money in this Copying Fund—were paid by Controller's warrants drawn against this fund; but before the two audited demands referred to were paid, this Copying Fund became exhausted.

The report previously referred to, establishes beyond doubt the fact that these demands have never been paid.

It appears further, from this report, that as a matter of fact, there were, without including these audited accounts, demands audited, allowed and paid, to said Anderson, on account of this copying, more than sufficient, upon a correct folio count, to pay for all the copying done during that session. And here is where the question of the State's liability to pay these demands presents itself.

D. W. Welty is the assignee of these demands, and he claims that he purchased them in good faith, and for a good and valuable consideration, without any notice of any excess in the folio count presented by Anderson and audited by the committee; that he is an innocent purchaser, without any notice of any such excess in the folio count, and ought not to be made to suffer on account of it. Mr. Welty claims that he stands, as between himself and the State, in the position where, if one of two persons are compelled to suffer from the wrongful act of a third person, it should be the one who put it in the power of such third person to do the wrongful act by which the injury is occasioned; that the Auditing Committee of the Assembly—whose duty it was to correctly audit Anderson's accounts, having failed to do so—put it in the power of Anderson to mislead the State Controller, and him too; that he was so misled and deceived, and that, having paid out his money on the faith and credit of the audited accounts of the agents of the State, he ought not to be asked to suffer this loss.

The former committee of this body, to which reference is made, presents this question in the following language:

"When your committee consider the fact that J. M. Anderson has already been greatly overpaid, they cannot, as between him and the State, for a moment entertain the idea of recommending this further appropriation. But, as between the State and Welty, the assignee, who claims to stand in the light of an innocent purchaser, without notice, there is a different aspect given to the claim. It becomes now a legal question, whether Welty had notice or not; whether the statements current at the time, as to the amounts paid the Clerk, were sufficient to put him on strict inquiry; whether the inquiry made of the Controller and the answer received of him was sufficient to hold the State liable."

Your committee would state that it is positively stated in evidence before them by Mr. Welty, that prior to his purchase of said claims, he had never heard any statements or even rumors of any kind respecting any overcharge of folios; that in fact, he knew nothing and had heard nothing whatever about them; did not know that such accounts existed until they were offered to him for sale, and that all he learned about them, before he purchased them, is what has already been stated.

From the fact that these claims were audited in the year eighteen hundred and sixty-one, and were purchased by Mr. Welty as early as August of that some year, and the facts about an overcharge of folios for this copying was not discovered or made public until the session of the Legislature of eighteen hundred and sixty-two, it is but a reasonable conclusion to draw from the facts in the case, that Mr. Welty did not know of any facts, and had not heard of any, in reference to the overcharge made by Anderson and allowed to him for this copying work.

But having endeavored to present briefly the facts, we will leave the question to the judgment and decision of the Assembly, without any recommendation.

HORAN,

Chairman of Committee on Claims.

MAJORITY AND MINORITY REPORTS

OF THE

SENATE COMMITTEE ON PRINTING,

RELATIVE TO

SENATE BILL NO. 252,

AN ACT TO PROTECT LITIGANTS.

D. W. GELWICKS.....STATE PRINTER.

MAJORITY REPORT.

MR. PRESIDENT: A majority of the Senate Committee on Printing, to whom was referred Senate Bill No. 252—An Act to protect litigants—having had the same under consideration and reported a substitute therefor, recommending its passage, pursuant to leave granted by the Senate, would further and more specifically recommend its passage for the following reasons:

First—Because it provides for the publication of all legal advertisements in certain designated newspapers, and for the security of complete records of such advertisements, so that they may at any time be referred to by litigants without trouble or expense. As a matter of public convenience, these provisions will be plainly apparent to those who have had occasion to be subjected to the trouble of examining the columns of a number of newspapers in search of an advertisement affecting them, either as litigants or attorneys. More especially does this force itself upon the attention of people in the City of San Francisco, where there are now published sixty-three daily, weekly, semi-weekly and monthly newspapers and periodicals, many of which are unread and comparatively unknown by a majority of the business men of the city.

Second—The proposed bill establishes a uniform system of prices, at a fair living and lower rate than the present established and published rates, in proof of which we respectfully refer Senators to the published prices of the several journals throughout the State, and to the terms as embodied in the bill.

Third—The proposed bill legalizes supplements, and effectually debars the vexatious questions arising from the publication of legal advertisements in supplementary sheets.

Fourth—It guarantees security to litigants against loss by negligence or carelessness on the part of newspaper proprietors, by compelling them to give bonds for the faithful performance of the required publication.

These are the substantial reasons, irrespective of politics, which will commend themselves to your consideration in determining your action upon this subject.

The statement made through certain newspapers, and repeated in the minority report recently submitted, to the effect that this bill proposes

"rates of advertisements about double the usual rates now demanded by newspapers having the largest circulation in the respective counties wherein they are published," is an assertion unwarranted by the facts. The same may be said of another misrepresentation as to the manner in which Judges are now required to designate the mediums for judicial and legal advertising.

Your committee are fully alive to the political situation, having carefully footed up the returns of the last judicial election. From these premises the conclusion is reasonable that the major part of the official printing under the control of the present District Judges will find its way into Democratic or conservative journals. In fact, it is hardly probable that more than a small percentage of their patronage would go to the emolument of the proprietors of radical newspapers, to aid in the dissemination of unconstitutional, disunion or revolutionary doctrines. From the subsidies obtained from Federal patronage, as well as from a partizan Legislature, journals of this last named class have thriven, prospered and waxed fat, while Democratic and Conservative journals have, for several years past, been excluded from even the benefits of a Justice's summons, where that functionary happened to wear the *loyal livery*. We allude to these facts of history as evidence of the standpoint from which the opponents of this bill declaim of its partizan character.

In conclusion, your committee, in common with other supporters of this bill, believing that its provisions are just—that it does not propose to plunder or extort from litigants, nor from the people at large—will undertake to relieve our opponents from any anxiety as to its consequences upon the Democratic party, and, further, to *shoulder the responsibility*.

LAWRENCE, Chairman.

MINORITY REPORT.

MR. PRESIDENT: The minority of your Committee on Printing, to whom was referred Senate Bill No. 252, entitled an Act to protect litigants, would respectfully report that, in the opinion of the minority, the above entitled bill, in its main proposition, is contrary to the true principles which lie at the foundations of our institutions, and if the bill should become a law, would be a direct and unwarranted interference with the rights and liberty of the citizen.

The first section gives to the District Judges a power which, by the general provision of the statute relative to publication of legal notices, is now exercised in a manner least objectionable, viz: Judges are required to designate such newspaper in each particular case as would be most likely to give notice to the party to be served. This accomplishes, in the best and most reasonable manner, the object of the law, in cases where publication is necessary to procure service of papers. The bill in question imposes an unjust tax upon litigants, by depriving them of the benefits of competition in a business affair, compelling them to contribute to the support of newspapers which may be of no value to the community as an advertising medium, and which may not be calculated to give notice to the party for whose benefit a law may require the publication to be made; and the minority of your committee has been advised that the rates of advertisements specified in the bill are about double the usual rates now demanded by newspapers having the largest circulation in the respective counties wherein they are published. Your committee consider the bill in all its principal features inimical to the true interests as well as the rights of the people, as unjust in its provisions to the large majority of newspapers in the State, who would be barred from any share in the benefits obtained by them, in a business point of view, from legal publication; objectionable, as discriminating in favor of the few who would generally be selected, for partisan reasons, without regard to their general circulation or the number of their subscribers, and objectionable, also, as giving to District Judges a power and a patronage not contemplated in the creation of such Courts, nor properly within the scope of judicial officers.

Your committee is further of opinion that special legislation of this character is not to be commended, but, on the contrary, should be discouraged, for that it is unnecessary, uncalled for by any apparent want of the people which might be supplied by legislation, not petitioned for by a single citizen, and advocated only by those whom it is reasonably to be supposed would be the recipients of the benefits to be derived from the passage of such a law.

The minority of your committee, therefore, recommend that the bill be indefinitely postponed.

GREEN.

REPORT OF SENATE COMMITTEE

ON THE

CULTURE OF THE GRAPE,

WITH CONCURRENT RESOLUTION RELATIVE TO

PETITIONING CONGRESS

TO

EXEMPT FRUIT DISTILLERIES, ETC.

D. W. GELWICKS, STATE PRINTER

REPORT AND CONCURRENT RESOLUTION.

Your Committee on the Culture of the Grape, realizing that the subject matter intrusted to them concerned one of the most vital interests of California, have given it careful consideration, in all its bearings, and as the result of their deliberations, beg leave to present the following report, together with the accompanying concurrent resolution and memorial to Congress:

REPORT.

Perhaps no other country on the globe, and certainly no other portion of the American continent, is so well adapted, in all respects, to the successful and profitable cultivation of the grape, as the State of California, which, indeed, seems as it were, to be the natural home of the grape, where it grows readily, from cuttings, upon the most arid hill-sides, and without irrigation.

The culture of the grape gives more employment to labor than any other branch of farming, and its development will tend greatly to the rapid peopling of our State with immigrants from among the honest, industrious and moral natives of the wine-growing districts of Europe.

To the immigrant who comes to California without means, with the expectation of a dependence upon farm-labor for support, the districts devoted solely to the culture of the cereals offer small inducements; for, while the demand for labor is comparatively great and the pay liberal, for a short period during the rush of gathering and harvesting the crop, it is succeeded by a long interval of inaction, when there is little or no need of hired labor, and the employé is turned adrift, perhaps to suffer from want before another job offers; besides, in our country, where the use of labor-saving machinery in agriculture is so universal, the demand for manual labor is comparatively small, and is decreasing every year. This is not the case in vine-culture; the careful planting and annual pruning of the vines, and the gathering of the ripened fruit, can only be done by the employment of human hands.

The growing of the grape is not in conflict with any other branch of agricultural industry, but can be made auxiliary to nearly all other kinds of farm labor, as for example: if you raise grain, your seeding is over before the labor of pruning the vine commences, and at the time of

grain harvest there is little or no work required in the vineyard; and if the cultivation of the mulberry and feeding the silk-worm should prove a success in California, its prosecution will present no conflict with the vintage work. And in a country blessed with so genial a climate and fruitful a soil as California, where all these several branches of agricultural industry—grain-growing, stock-raising, vine-culture, and rearing the silk-worm can successfully be blended together and practiced in the same district—skilled and willing labor can find an abundant field, with continuous employment at remunerative wages the year round. Let this fact be known to the world, and this alone will do more to encourage and induce immigration hither than any proposed expensive scheme of "Immigrant Aid Societies," with State appropriations, which, at best, will go no farther than to pay the travelling expenses of the immigrant to our State, and then leave him destitute, a stranger in a strange land, with no branch of industry provided for him wherein he may labor and acquire the necessities of life.

A large portion of California, in its present condition, is neither useful nor ornamental, bearing no green trees, and yielding no pasture for grazing purposes; yet, how valuable and ornamental could nearly the whole—of what is to-day, so unseemly—be made, by planting vines and fruit trees.

Meteorologists tell us, that by planting trees and shading the dry ground, the moisture of the atmosphere is increased and more rain produced; and surely California, with her long, dry, torrid summers, needs all the advantages which would accrue from having her barren lands cultivated and her hill-sides covered with verdure, thus increasing the supply of rain, and materially benefiting the grain-grower and grazer.

The vine, even when growing upon the thin, and almost arid soil of the mountain slopes, does not suffer from drought, as do the grain crops of the valleys below; indeed, it is to the vineyards, upon these otherwise barren and desolate hill-sides, that we must look for our most delicate and finest flavored wines and brandies. Neither does the cultivation of the grape exhaust the soil as the cereals do; there are vineyards in Los Angeles said to be one hundred years old, which still bear full crops every year.

Much of the soil of California is only suitable to the growing of fruits. In order to make fruit-growing a success, it is necessary to grow all of the various varieties to which our soil and climate may be adapted; the most important of which, for general culture, is the grape, of its various kinds. Nor can fruit-growing be made a success without, to some extent, using the still, as there is always a considerable portion of the crop that must be distilled, or suffered to go entirely to waste.

In order to get our people to plant vines, and enter with spirit into the development of this leading interest of California, the General Government must be induced to pursue a different policy toward the grape interest from that which at present prevails; it must call away from the vine-grower the lynx-eyed tax collector, with his red tape snares, ever ready to pounce upon the unwary and seize and confiscate, not only the still and machinery, and crop on hand, but even the land whereon the still stands, and the house wherein it is located (even though it be the homestead), and all this because of some technical violation of a law, so obscure in its meaning and so conflicting in its provisions as to be beyond the ordinary comprehension of the humble wine-maker, and which, even the Government official himself, who makes the seizure, cannot intelligibly explain.

The presence of a vineyard greatly adorns and beautifies the surroundings of the homestead, giving it a bright and cheerful aspect, which yields a continual feast of beauty for the eye, and fills the heart with a sense of quiet happiness and content, strengthening the love of home and the simple enjoyments of rural life.

It is the universal remark of observant travellers through the vine-lands of the world, that no communities are so contented, and happy, and domestic, in their tastes and habits, or so strongly attached to home, kindred and country, as the dwellers among the vineyards.

Every California farmer should naturally desire a vineyard, and would do so, if the Government afforded them proper protection in that branch of industry; whereas, now, every man who has planted vines in years past, wishes that he had not done so, as he feels that in working up its small produce he is exposing himself to arrest, and his machinery and crops to confiscation, and liable to have himself and family turned adrift upon the world as criminals.

A more iniquitous and ruinous system to our State could not have been devised by the shrewdest and most implacable of her enemies.

The interest of the State and of the General Government, also, would be better served by relieving the fruit-growers from the onerous burden of being placed upon the same footing, and subject to the same rules and regulations with their stills, as the grain and malt distillers; their cases are by no means analagous, for, with the latter, distilling is their sole business, generally employing their entire capital and time; whereas, with the fruit-grower, distilling is merely incidental to his vocation as a horticulturist, enabling him to save a portion of his ripened and perishable crop, which would else be wholly lost to him and to the market.

The General Government would gain more revenue by giving the fruit-distillers exemption than it will by its present policy. The consumption of those articles that pay duties would be more gain to the Government than the small taxes now collected, after deducting the heavy expenditure of keeping up the army of officials necessary to watch every little vineyard.

In a few years, if the grape and fruit interest could have that protection or exemption so essential to foster and encourage it (which should be the true wisdom and policy of the Government), the shipping of wines, brandies, raisins, and other fruits, from this State, would be a source of pride, not only to Californians, but to every American.

Your committee have not deemed it necessary to enlarge upon the various kinds of wine made in our State, or their relative merits; nor the manner of rearing the grape and manufacturing wines and brandies therefrom, all of which have hitherto been largely treated of in California, and books upon the subject are open to the study of any desiring information on the subject.

Perhaps it would not be out of place for your committee to mention in this report the fact that their attention has been called to an improved process of distilling brandy from the grape, discovered by Mr. — Johnson, of Coloma, whereby he has succeeded in separating the brandy almost entirely from the fusil oil, thus rendering it more palatable and wholesome, and greatly enhancing its value as an article of commerce.

Your committee respectfully submit the foregoing report, and beg leave to offer the following concurrent resolution, with a recommendation that it pass:

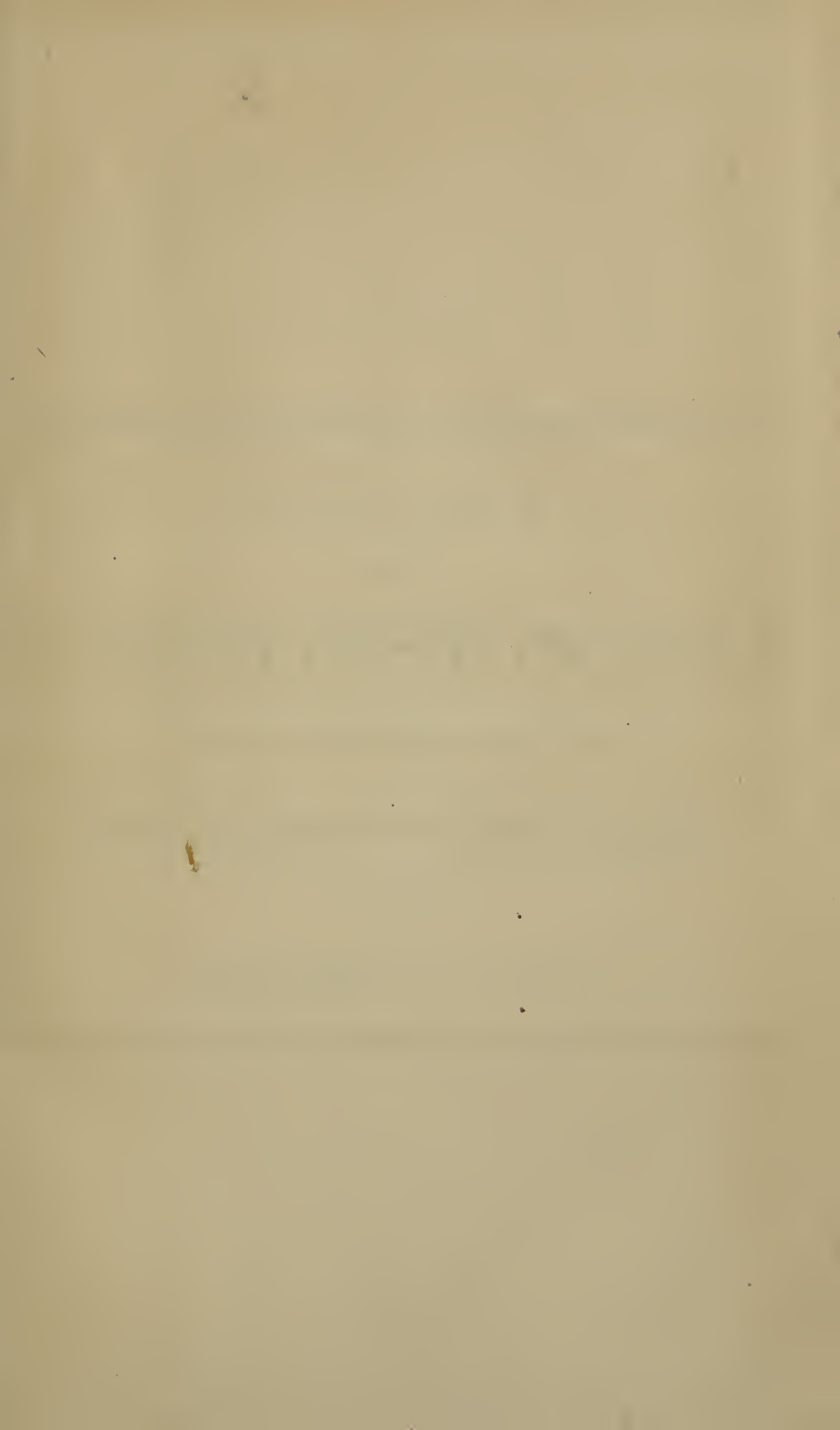
CONCURRENT RESOLUTION.

Whereas, the existing Internal Revenue Law of the United States is oppressive and unjust in its operation toward the fruit-distilling interest of California, leading to arrest as a criminal, and working a confiscation of the machinery and house and land whereon it is located, for the slightest technical violation of its stringent provisions, which are so conflicting as to be beyond the simple comprehension of the humble distiller. And, whereas, the law, by its system of rewards to informers and officials in cases of seizure and sale, acts practically as a bounty upon injustice and petty tyranny, inasmuch as the officer making the seizure is the interpreter of the law, and passes upon the legality of his own acts, from which there is no appeal, except at a ruinous expense and loss of time. And, whereas, the ruling now imposed by the Commissioner of Internal Revenue regarding a *capacity* and *per diem* tax is ruinous and inapplicable to the fruit-distiller, and prevents the working of light and inferior wines into brandy, and if persisted in, will effectually destroy and close the fruit interest of California; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators in Congress be instructed and our Representatives requested to lay the facts stated in the preceding preamble before that body, and use their utmost endeavors for the repeal of the said law, or such a modification of it as will exempt fruit-distillers from its provisions, as applied to malt and grain-distillers.

Resolved, That his Excellency Governor Haight be requested to furnish a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

WILSON, Chairman.



REPORT
OF THE
COMMISSIONERS
APPOINTED BY AN ACT OF MARCH 28, 1868, ON THE
RECLAMATION OF SWAMP LANDS
IN THE
SACRAMENTO VALLEY.

D. W. GELWICKS, STATE PRINTER.

To the Honorable Senate and Assembly of the State of California :

The undersigned, appointed by an Act appointing Commissioners to examine into the practicability of making a new outlet for the flood water of the Sacramento Valley, approved March twenty-eighth, eighteen hundred and sixty-eight, herewith transmit the following report.

WILL. S. GREEN,
J. W. BOST.
AMOS MATTHEWS.

REPORT.

ON RECLAMATION IN GENERAL.

The deltas or alluvial lands formed by the great rivers of the world, reclaimed from waste by the enterprise of man, have, from the earliest ages, been his chief dependence for the production of the necessities of life. Thus we find the children of Israel journeying into Egypt after corn, and the Romans depending on the overflowed lands of the Nile, to fill their public granaries. The fertility of the reclaimed swamps of the Euphrates made Babylon celebrated for its splendor, its elegance, and its wealth. The Romans found it necessary to commence the reclamation of overflowed lands wherever their arms subjected a country to their rule. All parts of the habitable globe are, and ever have been, subject to seasons of drought; and, before the invention of the mariner's compass, of steam, and the developments of kindred arts and sciences, enabled men to bring quickly to a given point the productions of distant portions of the world, then reclaimed flat lands afforded the only guarantee against famine. To-day, almost every nation in Europe, has its system of reclamation. The great rivers of Europe, such as the Rhine, the Po, the Elbe, the Thames, etc., have, like the Mississippi and the Sacramento, formed deltas, and have their marshes, "unfit for cultivation without reclamation." In many places the sea itself has been encroached upon, and men inhabit and cultivate fields many feet below its rolling billows. Holland, which, in eighteen hundred and fifty-eight, contained a population of one million one hundred and sixty-six thousand seven hundred and seventy-four, was once a swamp "unfit for cultivation." Some idea of the extent of the works of reclamation in Holland may be gathered from the fact that it costs annually three million dollars, (equal to two dollars and twenty-four cents per acre), to keep these works in repair.

In our country the principal works of reclamation have been upon the Mississippi River, and about the time of the breaking out of the late civil war, several gentlemen of eminent ability were devising general plans for the reclamation of the entire delta. Within the last few months the same subject has again been agitated.

This question of reclamation, effecting, as it has in all ages, interests so great, has occupied the attention of many of the greatest minds of each

generation; and we who would at this age begin a system of reclamation, can, if we so will it, have the benefit of the experience of others; and in this, more than in any other science, must we depend on experience. The great difficulty, too, is that experiments made upon one river will not hold good upon another, and it becomes the duty of the engineers to study not only the experiments of others, but to study long and well the character of the river upon which he proposes to operate in connection with those experiments.

THE SACRAMENTO AND ITS DELTA.

It is evident that a great inland lake, or, what is more probable, an arm of the Bay of San Francisco, once washed the base of the Sierras on the east and the Coast Range on the west. The streams from the mountains carried sediment into this body of water and the land gradually encroached upon it from either side. The Sacramento River, entering at the head of this arm, also deposited sediment, which encroached upon it in that direction, but the force of the current of the river kept, of course, a deep channel through the middle or in the direction of its current, as we now see, is keeping one open through Suisun Bay; so the river formation was the last to emerge from the water. The river, from the head of its delta, like all other streams, large or small, that form their own banks, runs upon a ridge, the land sloping back gradually until it meets the land formed by the smaller streams flowing from the mountains on either side. This forms a trough, subject to annual inundation, and it is this trough we seek to reclaim.

Feather River has the same formation as the Sacramento, and the district between the two rivers is mostly swamp. The American empties into the Sacramento at the City of Sacramento, and does not begin to discharge its waters into the tule until it reaches a point only a few miles above its mouth. A high point of land extends to the river on the west side of the Sacramento, at Knight's Landing, thus cutting the trough in two. It will be seen, then, that there are several distinct basins of overflowed land, one on the west side of the Sacramento, above Knight's Landing, and one on the west side, below that point; one between the Sacramento and the Feather Rivers, and one between the Sacramento, the Feather, and American Rivers. Each one of them is again cut by sloughs or creeks running down from the mountains or out from the river, and forming for themselves high banks. The outlet of the first named of those basins is Sycamore Slough, into the river at Knight's Landing; of the second, through Cache Slough, into the river at Rio Vista; of the third, through Small Slough, near the junction of the two rivers; of the fourth, through Small Slough, into the Sacramento, just above the mouth of the American.

When the river first begins to fall, the water runs into it fast from these reservoirs, so that when the Sacramento has fallen ten feet at Colusa, the Feather ten at Marysville, and the American, perhaps, twenty at Folsom, there is hardly a perceptible fall at the junction of the Sacramento and the Feather. It is a well settled fact, that the height and velocity of the upper section of a river gives velocity to the lower section. Having lost the pressure of ten feet of water at points so near, the current in the river below these inlets becomes sluggish, and the water that comes in from these basins through a few small sloughs, keeps the river almost bank full for weeks and months.

A promontory, skirting the north edge of Suisun Bay and extending

to the west bank of the river, forms a dam across the trough, and throws all the water which passes over the banks of the river at different points, back into it again, just above the little Town of Rio Vista. The narrowest as well as the lowest part of this promontory, is between Linda Slough, an arm of the tule, and Nurse Slough, an arm of the bay. This description of the physical formation of the country is necessary to a proper understanding of our

PROPOSED PLAN OF RECLAMATION.

A canal connecting Linda Slough and Nurse Slough would, perhaps, be the first work to be done. We would then follow the lowest part of the trough, cutting the obstructions thrown across it by sloughs or creeks, to a bend in the Sacramento River, about midway between its junction with the Feather and Knight's Landing. Here, a cut should be made in the banks, about ten or twelve feet deep and about three hundred feet wide, and locks erected to prevent the washing away of the banks, and also to prevent water from running out of the river as long as the river could be made to carry it. The opposite bank (between the Sacramento and the Feather Rivers), should then be cut down to a level with the bottom of the tule. The obstructions in this tule should then be cleansed away, so as to give a free flow to the water. This done, Feather River should be leveed on both sides from the head of the overflow to the mouth; the Sacramento, from the head of the overflow on both sides to the mouth of the American, and from that on the west side only, to the high land at Rio Vista. For this, we have estimated that a levee four feet high (on the average), with proper slopes, would be sufficient. When it was seen that these levees would not hold the water, a cut could be made in the bank and the surplus water carried off into the tules. We think that all the water of the Sacramento could be carried between these levees to Butte Slough, if that outlet was enlarged so as to give an increased fall to the top current of the river for a few miles above that point; but we have made our estimates for tule embankments ten miles above that point. The river being leveed and a sufficient number of outlets made to protect the levees from a possibility of leaking, two parallel embankments, say ten feet high and one thousand feet apart, should be thrown up in the bottom of the trough, between the Sacramento and the Feather Rivers, crossing the Sacramento at the deep cuts previously made in the banks, and extending to the head of the canal connecting Linda Slough with Suisun Bay; Cache Creek, Putah Creek, and other smaller streams coming into the tule from the mountain side, as well as the cuts made in the river bank, would have to be conducted into the canal by means of embankments running across the tule.

After the canal into Suisun Bay was completed, every yard of earth removed would reclaim some land. At first, by draining the water from the tule a month or so earlier than before, and after the river was leveed it would carry off nearly if not quite double as much water as it now carries, thus leaving less water to run out into the tules. The swamp on the west side of the river, above Knight's Landing, would all be reclaimed by the levees on that side of the river. The swamp between the Feather, Sacramento, and American, would also be reclaimed by the levees were it not for Coon Creek, Auburn Ravine, and a few creeks that empty into it. These creeks would either have to be carried between banks diagonally across the tule into the Sacramento or carried around

the edge of the lowland into the American. This, in fact, will be the most difficult body of land to thoroughly reclaim, although, if the water from the river was kept out of the basin, that which runs into it from the mountains could be taken off very early in the spring by means of a cut and a flood gate in the bank of the Sacramento, just above the mouth of the American.

The heaviest part of this work would be the canal across the promontory into the bay. Although there should, in all probability, be a canal there at least three hundred feet wide, we have made our estimates for one only one hundred feet wide, and have counted the labor for that at only one-fourth the amount necessary to remove the earth from the canal, for the reason that from the height at which water now stands in the tules in times of flood, to the level of the bay at ordinary mean tide, of some fourteen feet in a little over five miles, with higher and stronger embankments made near the head of this land, even a greater fall might be obtained. With this fall, we think that after the water was started through in a small canal, the earth might easily be sluiced off to any desired width. After a great body of water, say one hundred feet wide, had been started through, even the sluicing might be stopped, as with the fall we have then, it would soon wear a channel wide enough to accommodate all the water that would ever pass through it. As a precautionary measure, it might be well to fix a lock at the crossing of Cache Slough, and embank that stream on either side, so that in case of danger to the embankments of the principal canal, before the canal across the promontory had attained its full width, the surplus water could be let off in that direction.

We might remark here that our data, from actual survey, is very limited, except so far as to determine the extent of the country to be reclaimed, the length of proposed embankments, and the fact that the trough has a fall about equal to the fall of the river. In fact, if we except that section of the work comprising the canal from the tule to the bay, which we have had surveyed, the question of fall does not figure so conspicuously in determining the feasibility of the plan as one at first would imagine. The river *does* flow from the head of the delta to the bay at the rate of some three or four miles an hour in high water. The canal would convey the water into the bay in less than half the distance, and of course, would have double the fall per mile. The river is very crooked and the current is continually checked by running square against a bank, whereas the canal will be almost straight. Then if the river has but little fall now, the leveeing of it will so much the more increase its velocity and deepen its channel.

ESTIMATES.

First Section.

Between Linda Slough and Nurse Slough, distance 5 miles, estimate for canal, with slopes of 2 to 1, 100 feet wide, 2,000,000 cubic yards—work estimated.....	500,000
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Second Section

Embankment of main canal, from Linda Slough to Sacramento River—bank 10 feet high; slope inward, 2 to 1; outward, $1\frac{1}{2}$ to 1; width at top, 6 feet; space between banks, 1,000 feet.....	4,140,000
Embankment to receive Cache Creek, Putah Creek, and Sloughs, into canal.....	700,000

Third Section.

Main canal, from crossing of Sacramento to Butte Slough, $32\frac{1}{2}$ miles, contents of embankments, same as before.....	2,990,000
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Fourth Section.

Levees on both sides of Sacramento River, from Butte Slough to head of overflowed district, $43\frac{1}{2}$ miles—height, 4 feet; slope towards river, 2 to 1; outwards, $1\frac{1}{2}$ to 1; top, 2 feet.....	612,560
Embankment on Butte Creek, 17 miles.....	239,360
From Sacramento River to Butte Creek, single embankment, $5\frac{1}{2}$ miles, 8 feet high, same slope as above.....	129,065
Levee on Sacramento River, from Butte Slough to crossing of canal, 48 miles.....	675,840
From crossing of canal to mouth of American, $20\frac{1}{2}$ miles.....	373,120
From mouth of American to Rio Vista, one side only, 36 miles	253,440
Levee on Feather River for distance of 20 miles, same as on Sacramento	264,000
Add to this, for cross embankments and for embankments to conduct outside water into canal.....	1,000,000

Total cubic yards.....	11,877,385
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This, at twenty cents per cubic yard, the highest price paid for such work.....	\$2,375,477
For necessary locks and flood gates.....	200,500

Total cost.....	\$2,575,477
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Number of acres of land claimed as swamp and overflowed....	440,000
Land held by other title subject to tax, estimated at.....	60,000

Total acres.....	500,000
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Total cost per acre.....	\$5 15
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THE EFFECT

Of these works would, we think, be the entire and complete reclamation of the whole of the delta of the Sacramento, except that portion lying below the mouth of the American, on the east side of the river, and that would be greatly benefited. It might be argued that the taking out of this water through the artificial canal would only have the effect of checking the current without materially lessening the volume of water. Thus it is stated, on what we must regard as authority, that one river may receive another of equal magnitude without producing a sensible elevation of its surface. The absorption of the Inn by the Danube, of the Mayne by the Rhine, of the Siehio by the Po, of the Teverone by the Tiber, it is stated, takes place without making the volume of the absorber in either case either wider or deeper. Experiments upon the Mississippi, however, show that while the river is continually growing narrower, it gets *deeper* as it approaches its mouth, and we are inclined to believe such to be the case with the European rivers spoken of.

William Hewson, in a work of merit on "Embanking Lands from River Floods," gives the following facts in regard to the Mississippi:

At Cairo, the sectional area of the Mississippi, is about.....	325,000 feet.
Of the Ohio, at junction, the sectional area is about.....	260,000 feet.
Of St. Francis, at junction.....	21,000 feet.
Of White River, at junction.....	28,000 feet.
Of Arkansas, at junction.....	56,000 feet.
Of Yazoo, at junction.....	21,000 feet.
Of Big Black, at junction.....	21,000 feet.
Of Red River, at junction.....	52,000 feet.
Other tributaries.....	18,000 feet.
Total	802,000 feet.
Of the Mississippi, at New Orleans.....	480,000 feet.

He also states that the channel of the river at New Orleans is more than twice as deep while it is only half as wide as it is at Cairo. He then concludes that while we "must accept the fact that tributary accessions to the volume of a river do not widen or elevate their general level, all such accessions result in an accelerated velocity and increased depth. As a practical application of this conclusion in the case of the Mississippi River, it may be therefore safely affirmed, that the retention of flood waters in the channel by levees, like all tributary accessions to its volume, while deepening the channel and increasing the velocity, will not, as a *direct* consequence, elevate the surface of the water."

If Mr. Hewson's conclusions are correct, and we do not see how we can avoid them, will not the proper levees on the Sacramento enable that stream to discharge all or most of its waters in winter? When a river is divided, pretty much the same effect is noticed. To facilitate commerce, and also to carry out plans of reclamation, the Rhine has been divided many times; yet it is noticed that the water rises as high in the old channel as it did before it was divided at all, the current each time becoming more sluggish. We think, perhaps, the same fact

might be noticed in the case of the Sacramento, when it divides itself at Steamboat Slough.

Prominent engineers have proposed to rennite the waters of the Rhine, in order to so increase the velocity as to deepen the channel and relieve the country from the danger arising from the filling up of its bed.

Were we to discuss the many interesting phenomena presented by this subject, to our own satisfaction, this report would be lengthened into a volume; but we think that while the proposed canal will relieve the river to about the same extent it is now relieved by the sloughs running into the trough, we guard sufficiently against decreasing the velocity so as to let the bed of the river fill up, by means of the levees and the locks, thus keeping the river above the natural banks, whether there shall be any water in the canal or not.

The items of rainfall, of the comparative length of the several streams forming the Sacramento, the extent of territory drained by each stream, the capacity of the river to drain the territory, and others equally important, enter into the question of reclamation, and must be considered well by those having charge of the work. Our data on those subjects are not satisfactory, but from twenty years personal observation of the floods in the river, we are satisfied that our estimates have been placed high enough. It is a work, too, that will afford plenty of opportunity for study and observation, as it progresses, without expending a dollar in useless experiments.

We leave the financial problem for the Legislature or for the land owners to solve, but lest some should think our figures too formidable to warrant the commencement of the enterprise, we would suggest the fact that nearly all the land would be rendered available for agricultural purposes before the embankments through the trough would be required, and these embankments are, as will be seen, the most expensive part of the work. For instance, there is about twenty-five per cent. of the land upon which late crops can be raised in an ordinary season, but which would be drained out during a season of extreme high water; there is, perhaps, fifty per cent. more from which the water drains off in time to make the land of some value either for hay or for grazing, while the remaining twenty-five per cent. is, in its present condition, almost if not entirely worthless. Now, as soon as the canal into the bay is made, and the other obstructions spoken of above, removed, the first class would be placed out of danger of being drowned out, while the second class would be placed in about the same condition the first class is now in, while the third class would be of some value for grazing, and possibly for hay. After this, the leveeing of the rivers would almost entirely reclaim about half of the whole district and render almost the whole of it fit for the production of such crops as could be planted late in the spring. In the course of the investigations made for the purpose of preparing this report, we have necessarily been thrown in contact with the majority of the owners of the swamp and overflowed lands throughout the entire district sought to be reclaimed, and we find that a vast majority of these owners are heartily in favor of the immediate adoption of some effective plan, such as we have here proposed, for the reclamation of these lands. The owners of the smaller tracts are particularly anxious, as their lands are the first which would be reclaimed by its operation. The owners of the larger tracts, which have more recently been purchased from the State, and which are at present of the least value, are also anxious for the adoption of this or some similar

comprehensive plan, as without it, they will never be able to use their lands. The owners of these lands want it particularly understood that they ask no pecuniary aid from the State for the carrying out of this or any other plan which may be adopted, and no assistance excepting such legislation as may enable them effectually to levy a tax upon the lands to be benefited and reclaimed thereby, and collect the same to pay for the work as it progresses.

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SENATE CONCURRENT RESOLUTION

RELATIVE TO THE ERECTION OF A

Breakwater at Wilmington Harbor,

TO WHICH IS APPENDED A

REPORT AND MAP,

PREPARED BY

GEN. B. S. ALEXANDER, U. S. A.

D. W. GELWICKS, STATE PRINTER.

SENATE CONCURRENT RESOLUTION.

RELATIVE TO THE ERECTION OF A BREAKWATER AT WILMINGTON HARBOR.

PREAMBLE.

WHEREAS, The harbor of Wilmington, in Los Angeles County, is one of the most important on the coast line of the State south of San Francisco, being the outlet for the large and rapidly increasing trade of nearly the whole of the southern counties, and where a vast amount of merchandise is received, not only for the supply of those counties, but for Northern Arizona and Southern Utah. The business of said port is increasing every year, and it may be considered, in a shipping and commercial point of view, the second port in importance in the State; and whereas, the General Government has gone to great expense in building large warehouses and establishing distributing depots at said port, making it the headquarters for United States troops for the District of Southern California and Arizona; and whereas, the said harbor is rapidly becoming inaccessible by reason of the accumulation of sand on the bar forming across the harbor, thereby compelling the lighterage of all goods received at or shipped from said port, at a great risk to owners and shippers, and a heavy additional expense of insurance on both vessel and cargo. The expense attending such lighterage amounts to some seventy-five thousand dollars (\$75,000) per year, as shown by the books of the commercial and shipping houses doing business at that port; and whereas, it is shown, by the accompanying report and map of said harbor, made by Brevet Brigadier-General B. S. Alexander, United States Army, Lieutenant-Colonel of Engineers and Chief of the Engineering Corps on the Pacific coast (which report and map is herewith submitted and appended), that it is entirely feasible and practicable to improve said harbor and deepen the water at the bar to an average of from eleven feet to eighteen feet, by constructing a breakwater some seven thousand feet in length between the points of the harbor known as "Dead-

man's Island" and "Rattlesnake Island." Three thousand six hundred and sixty-five feet of said breakwater will stand upon ground that is bare at low water, and three thousand three hundred and thirty-five feet will have its base under water. General Alexander estimates that the breakwater can be constructed in one season, and at a cost of three hundred and fifty thousand dollars (\$350,000); and whereas, the construction of said breakwater would greatly increase the safety and facility of said harbor, enabling vessels to receive and discharge cargo alongside the pier, and the cars of the railroad (now completed) which connects this harbor with the City of Los Angeles and the interior of the richest portion of the southern counties, to discharge and receive freight at a warehouse on the same pier with the vessels, to the great lessening of expense and the saving of time and loss; and whereas, the report upon we base this preamble and following resolution, coming, as it does, from such high engineering authority, is entitled to the greatest consideration; and the estimate of the cost of the work is based upon practical engineering experience, and is so small, as compared with the importance of the work and the immediate and immense benefit to be derived therefrom, not only to that section of the State, but to the welfare of the entire State of California and the General Government; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Representatives in Congress be requested, and our Senators instructed, to use all possible means in their power to obtain from Congress an appropriation of three hundred and fifty thousand dollars for the improvement of said harbor and the construction of said breakwater; and that the Governor of this State be requested to transmit a copy of this preamble and resolution, together with the accompanying report and map appended, to each of our Representatives and Senators, with a request that they take speedy action in the matter.

R E P O R T

MADE BY

GEN. B. S. ALEXANDER, U. S. A.,

LIEUTENANT-COLONEL OF ENGINEERS.



R E P O R T .

SAN FRANCISCO, Cal., February 12th, 1870.

B. D. WILSON, Esq.,
Member California Senate, from Los Angeles County :

DEAR SIR : I duly received your letter of the nineteenth of December last, asking me—

First—"Whether or not, in my opinion, it is practicable to deepen the channel on the bar of Wilmington Harbor, so that large vessels could cross it?"

Second—"If so, in what manner would you [I] recommend the work to be done?"

Third—"What would be the probable cost?"

My engagements, since the receipt of your letter, have been such that I have had but little time to devote to the consideration of these questions, until within the past two days, and even now the press of other duties will prevent me from giving as full an answer to your inquiries as I could desire.

The harbor of Wilmington partakes of the nature of a slough—that is to say, there is no large river emptying into it to keep it open. There is nothing in the condition of things, therefore, to prevent the harbor becoming entirely closed, and filled up in time, if the deposits from the water-shed draining into it have that tendency.

The waters which enter this harbor with the rising tide spread out over a large expanse of flats, between Rattlesnake Island and the main shore to the northward and westward, the surface of these flats being, to a great extent, between high and low water.

On each receding tide, these waters are collected into a channel, close to the western shore of Rattlesnake Island, and it is the scouring effect of these waters which keeps this channel open, and of sufficient depth, down to the lower end of this island, and for a distance of three-quarters of a mile beyond that point, between the sand shoal below the island and the westerly shore.

An inspection of the Coast Survey map shows that the natural regimen of this channel is about three hundred to four hundred feet in width. Whenever the channel is confined to about this width, as along the lower end of Rattlesnake Island and around the shoal below, it has a depth of from eleven feet to eighteen feet, at low water; but as we approach Deadman's Island, the waters spread out and diffuse themselves over the bay, and there is only two or three feet depth of water at low water.

It is a natural inference, therefore, to conclude, if the waters could be confined to a width of about three hundred or four hundred feet, down to Deadman's Island, that they would soon scour out a channel for themselves, having a depth of from eleven to eighteen feet at low water, to the lower end of that island, and for a certain distance beyond that point.

To accomplish this, some artificial construction, like a breakwater, must be resorted to. The object of such a construction would be—

First—To confine all the waters flowing into and out of the harbor to the west side of Deadman's Island, and to restrain them to a certain width between that island and the lower end of Rattlesnake Island.

Second—To arrest and hold the sand between these two islands, which is now carried in by the surf, or driven in by southeast storms; because it is this sand which is constantly filling up the channel which the escaping waters of the ebb tide would otherwise form.

I have had a copy of the original Coast Survey chart of San Pedro (or Wilmington) prepared for you, in order that my ideas on the subject of improving the entrance to this harbor may be more clearly understood.

On this chart I have marked, by a heavy red line, the approximate position in which a breakwater, in my opinion, should be constructed, in order that it may best accomplish the objects I have enumerated above.

Leaving the lower end of Rattlesnake Island at *A*, we have a certain distance measured along this line to low water, at *B*—say one hundred and eighty feet.

Then, from *B* to *C*, a channel about one hundred and eighty-five feet wide.

Then, from *C* to *D*, a sand spit that is two hundred and fifty feet wide—this spit being bare at low tide, but covered at high water.

Then, from *D* to *E*, another channel, two hundred and sixty feet wide.

Then, from *E* to *F*, a long sand bank, about three thousand two hundred and thirty-five feet in length, following the line I have marked.

Then, from *F* to *G*—or to Deadman's Island—a wide, shallow channel, about two thousand eight hundred and ninety feet across.

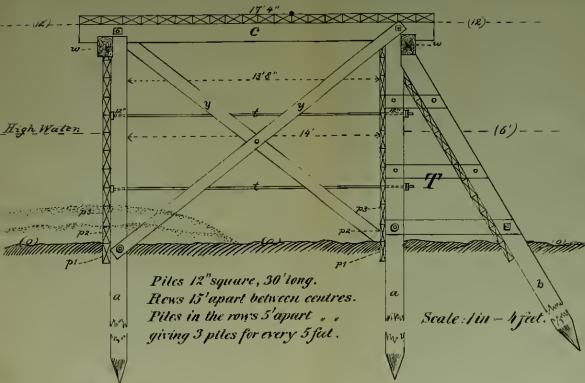
Making for the construction about seven thousand feet, of which three thousand six hundred and sixty-five feet will stand on ground that is bare at low water, and three thousand three hundred and thirty-five feet will have its bottom under water.

I come now to the consideration of your second inquiry. The question is: How shall this breakwater be built?

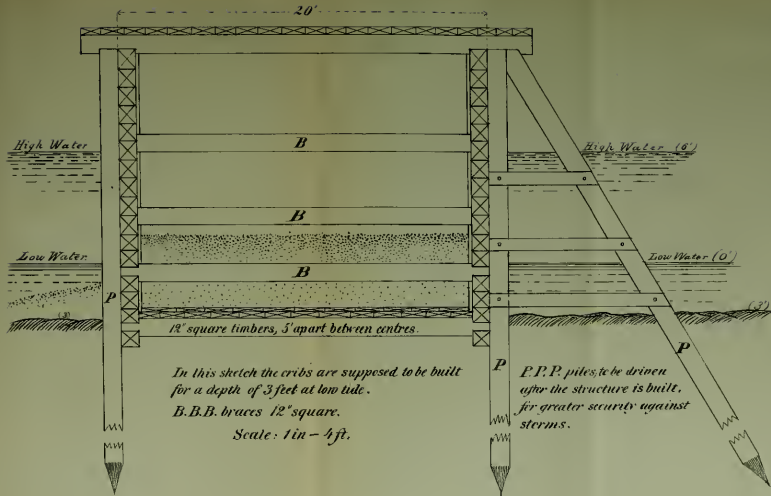
I answer that, in my opinion, it may be made just as effectually, and far more economically, with wood than with stone.

I think there can be no doubt, if there was a wooden construction, or in fact any construction, built along this line, strong enough to resist the force of the heaviest storms, and carried up to a height of some six feet above high water, that the southeast storms would pile the sand against

In this sketch the construction is supposed to commence at low tide or (0)



force of the heaviest storms, and carried up to a height of some six feet above high water, that the southeast storms would pile the sand against



above high water, that the southeast storms we

it to its full height in a few years, thus practically carrying Rattlesnake Island down until Deadman's Island should form its terminus.

And, if this should be the effect, this sand bank would be increased in width, particularly at its upper end, from year to year; thus adding to its strength and to the security of the channel.

In the course of time, however, this increase of its width would cease, and the shore on the east side would become permanent like the shore of Rattlesnake Island.

If I am correct in these conclusions, this breakwater may safely be built of wood, for we will have a good channel inside of it within a year after it is completed, and a wide sand bank outside of it before the wood will decay.

If a good channel, of say twelve feet of water at low tide, is once made, the question of keeping the channel open may be left for those who are to come after us.

I think the construction, where it stands on ground bare at low water, may be built differently, and less expensively, than that standing in the water.

I annex a sketch of the manner in which I think the former construction may be built.

MANNER OF CONSTRUCTION.

First—Drive the piles *a, a*, and the bracing pile *b*.

Second—Bolt the wale pieces *w, w*, to the piles *a, a*; put in the braces *y, y*; insert the ties *t, t*, and strap down the caps *c*.

This work to be done while the crib-work, hereafter to be described, is being prepared. When ready to begin building the crib structure, spike on the lower two planks *p 1* and *p 2*. When these are on, it is my opinion that, in a few tides, the sand will be filled up to the top of *p 2*, on the outside, and be filled over toward *p 2*, on the inside, as shown on the sketch.

At the proper time spike on *p 3*, and the same thing will happen to it; and so on, to high water level.

Above this level, the inside of the structure will probably have to be filled in by sand taken from the outside at low tide.

When the structure is filled, it should be floored over with four-inch plank, well spiked down. The triangular space *T* being filled in as the structure progresses.

For the more solid breakwater standing in the water, I would recommend the following construction: (See sketch annexed.)

DESCRIPTION OF THE SOLID CRIBWORK.

The cribs to be built on shore, in lengths of from one to two hundred feet each, and made to fit the bottom where they are to stand. They are to be built so that when settled into the sand their tops will be out of water some two feet, at low tide.

These cribs are to be towed out at high water and anchored, so that they will settle in their proper positions when the tide falls. As soon as they ground, scows loaded with sand should be on hand to fill them.

I would stop the two up stream channels, *B* to *C* and *D* to *E* first; and on the same day, if possible, then, on the main channel. I would

begin at the deepest water and work both up and down stream at the same time, putting in at least two cribs each day; taking care that the up stream work was first completed, for the bottom near to Deadman's Island is rock, and if left open to the last, although there may be a strong current through it, the bottom cannot wash away.

These cribs are supposed to be built of twelve-inch square timber, and lined on the inside with one and one-half-inch plank in order to insure tightness, having a flooring of, first, four-inch plank, then two other floors of one and one-half-inch plank each, crossing each other diagonally so as to insure that the first flooring will be sand tight, though the structure, when first placed, may not exactly fit the bottom upon which it was to stand.

When these cribs are settled along the line, having the top logs one or two feet above the level of low tide, and are filled with sand, the workmen can float the timber to the carpenters, who can go on the structure at low tide and add another log on the sides, which is to be bolted down to the structure below, and then the breakwater can receive an additional foot of sand, and in this manner the whole structure can be rapidly carried up to the required height.

The piles marked *PPP*, may then be driven from pile drivers standing on the dam, the caps put on, and the whole securely planked over.

Care should be taken to securely tie the different sections together by the first timbers that are put on after they are sunk.

As this mode of making a breakwater may be new to some people, I will add that it is not mere theory with me. I once put down three sections of such a structure, in three days, which had previously been built on shore, for a depth of water varying from low water, to ten feet below low water; each of the sections being over two hundred feet in length. On the fourth day, we began building up the dam from the structure itself.

There is no difficulty in making such a construction, with proper workmen and suitable appliances.

As to your third inquiry, the probable cost of the construction, I reply that I have carefully estimated the cost on the following data, viz: Lumber at fifty dollars per thousand feet, board measure, put in place; iron work at two hundred dollars per ton, put in place; filling the inside of the breakwater with sand, at twenty-five cents per cubic yard, and I find the cost of the structure that stands on ground which is bare at low water, to be thirty-one dollars and fifty cents, per running foot.

The cost of the solid cribwork standing in the water will be fifty-two dollars and fifty cents, per running foot.

We have then 3,665 feet at \$31 50.....	\$115,447 50
And 3,335 feet at \$52 50.....	175,087 50
Total cost.....	\$290,535 00
Add twenty per cent for contingencies, accidents, etc.....	58,107 00
And we have as grand total.....	\$348,642 00

Say three hundred and fifty thousand dollars. I believe the work can be built for this sum.

I will add, in conclusion, that in my judgment this work should not be undertaken by piecemeal; a little this year and a little more next year, and so on.

If it should be undertaken in this way, I think it would prove, if not an entire failure, at least enormously expensive. My reason for this assertion is based on experience.

If we undertake to stop up a channel of running water by beginning at one or both shores and filling out towards the middle, as the waterway becomes contracted the water invariably cuts for itself, if the bottom is of a nature to be washed away, a deep channel, right at the end of the obstruction, so that the filling has to be made in a depth of water continually increasing, until, as the ends of the work approach each other, the depth of the filling becomes so great as to lead to great expense, or to an abandonment of the work.

There was an example of this in filling up one of the channels in the Savannah River, Georgia, some years since.

A reverse case occurred at the mouth of the Saco River, in Maine, some years since, where a line of cribwork, like that here proposed, was sunk on the bar at the mouth of that river.

At Savannah, the work had to be abandoned. At Saco, where there was only three or four feet of water, at low tide, at the end of the breakwater, when the crib was first put down, the depth of water increased in a few years, so that at the end of the dam it became as much as twenty feet at low tide.

Let me illustrate clearly what I mean by the case now in point:

Suppose we begin the breakwater at the lower end of Rattlesnake Island, and carry it out, say down to a point marked "O" on the chart. I believe, if it was left at that point for a few years, the depth of water immediately outside of the end of our completed structure would be found to be twenty feet instead of three feet, as at present. We would then have to adopt some other plan, enormously more expensive, and the depth of water, the difficulties and the cost would go on increasing as the structure approached Deadman's Island.

The whole work should be done in a single day, if possible; but as this would be impracticable, it should at least be done in a single season.

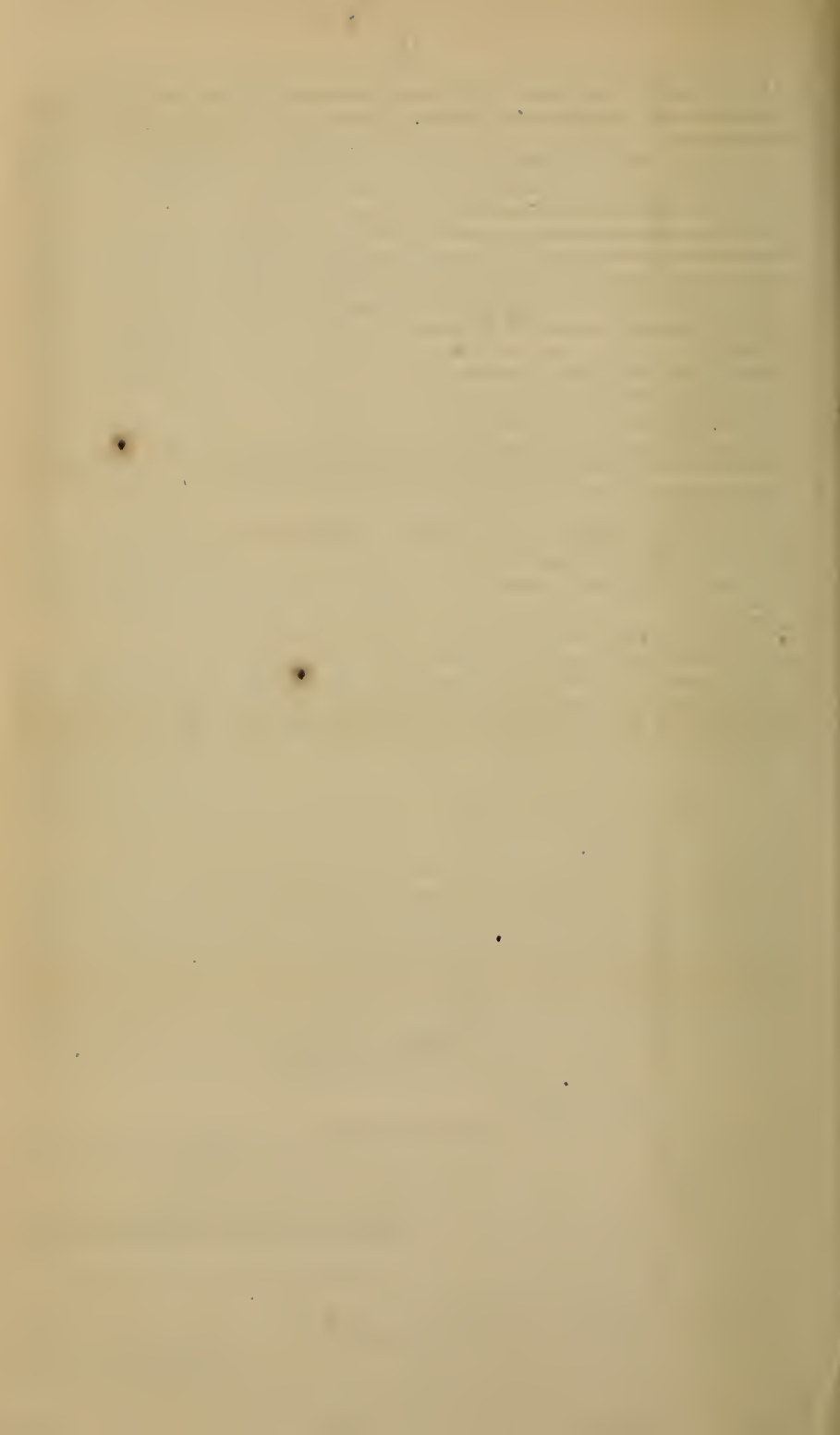
All the materials should be collected, all the piles driven, and all the timber cribs constructed. This might take two or more years, yet the channel being practically unobstructed by the piles, would change but little.

Then, having everything prepared, a large force of workmen should be collected, a favorable season of the year selected, and the work pushed forward with all possible speed to its completion.

Very respectfully,

Your obedient servant,

B. S. ALEXANDER,
Lieutenant-Colonel Engineers,
Brevet Brigadier-General, U. S. A



MINORITY REPORT

OF THE

Committee of the Chamber of Commerce

ON THE

PILOT LAWS.

D. W. GELWICKS, STATE PRINTER.

R E P O R T .

Gentlemen of the Chamber of Commerce of San Francisco :

The undersigned, one of your committee to ascertain and report what modification of the existing pilot laws ought to be recommended to the Legislature, respectfully submit the following views, and accompanying bill :

First and most important, the twenty-fifth section of the present law, which exempts vessels in tow of steam tugs from pilotage, unless a pilot be actually employed, ought to be repealed.

It is in direct violation of the well recognized principle, that the pilot who incurs the risk of bringing a vessel into port when the risk is great, shall be entitled to take her out again when the risk is less.

No such provision can be found in the pilot regulations of any other American State, nor, so far as I have been able to learn, in any European system.

In the State of New York, the oldest commercial community on the continent, where it may be fairly presumed the magnitude of the interest and long experience have adopted at last the wisest system, this towing vessels out by steam tug, without a licensed pilot on board, is a misdemeanor, punishable by fine or imprisonment.

These facts alone are sufficient to warrant us in striking the steam tug clause from our law.

But it is objectionable for other reasons. It is unfair and unjust to the pilots. The pilots are subject to all the provisions of an inflexible code—the steam tug to none of them. The pilot must undergo a strict examination as to his qualifications and fitness, take out a license, give bond for the faithful performance of his duties, and take a rigid oath of office. He must report in detail every month to the Board of Examiners, and pay over to them five per cent. of all his earnings. He must be ready at all times wherever his services may be needed, no matter how rough the seas or perilous the task, and for any misconduct or inattention to duty, he is liable to be suspended and to have his license revoked.

Not so with the steam tug. She undergoes no examination, gives no bond, renders no account and incurs no responsibility under the pilot laws. Nor can she be compelled to perform any of the *perilous* service. While the danger lasts, she lies safe in port. When it has passed, she proceeds in perfect safety to perform that part only of the pilot service

which is pleasant and desirable, and which the pilot has earned the *right* to perform himself, by having already performed that part which was dangerous and disagreeable.

This is repugnant to our ideas of common justice and legitimate competition.

And again: This twenty-fifth section practically nullifies the sixth section of the same law. The latter section very properly limits the whole number of pilots for San Francisco, Mare Island and Benicia, to sixteen. But when a steam tug tows a vessel to sea without a pilot on board, the tug itself is, for the time being, to all intents and purposes, the vessel's pilot. It performs all the duties of a pilot, and thus, instead of the number of pilots being effectually limited to sixteen, as was intended, they may be multiplied indefinitely by the mere construction and equipment of tugboats.

This section is also utterly inconsistent with the eighteenth section of the law.

The eighteenth section makes it a misdemeanor for any *person* not a licensed pilot, to *pilot* any vessel into or out of the harbor of San Francisco, or to Mare Island, Benicia, etc. But, though every person is thus prohibited from *piloting* a vessel without license, he may nevertheless, by virtue of the twenty-fifth section, *tow and pilot* a vessel where he may choose, if he only has a steam tug to do it with.

Thus, the intended effect of both the sixth and eighteenth sections are entirely evaded by the operation of the twenty-fifth section; and the latter is a blemish on the pilot system; a violation of the principles on which the system is founded; a provision unknown to any other code on the globe, and utterly destructive of the very ends and purposes for which pilot laws are devised and enacted.

Again; this is a special legislation in favor of steam tugs. If the clause be repealed, vessels which have hitherto gone to sea in tow of such tugs, will be obliged hereafter to pay pilotage. The result will be an increase of business to the pilots, and in consequence the rates of pilotage of all vessels may be reduced. If the steam tugs, and the vessels they have hitherto towed to sea, lose by this, all other shipping will gain in proportion, and the burdens will be equalized.

Steam tugs are doubtless essential to the commerce of the port; but there is no reason why they should be the recipients of this special legislative favor.

The conclusion can hardly be resisted, that the twenty-fifth section was put into the law to subserve the private interests of the owners of a certain class of vessels, and that, in the hurry of legislation, the effect of the section escaped the attention of the law-makers. It ought to be repealed.

Second—The interests of commerce require that the rates of pilotage should be reduced, and the pilots can very well submit to a material reduction if the steam tug clause be repealed. In making the reduction in rates, the ability of each class of vessels to pay charges should be kept in view. Those familiar with the subject understand that a large vessel can afford to pay higher rates than small vessels, and the reduction should be made accordingly. The discrimination of the present law in this respect, in favor of small vessels, is none too great. I would fix the rates at five dollars per foot draft for vessels under five hundred tons, and six dollars per foot and four cents per ton, registered measurement, for vessels over five hundred tons.

Another change should be made in the rates. Vessels engaged in the

whaling trade now pay only one dollar per foot draft, which amounts practically to exemption from pilotage. I see no sufficient reason for such exemption. The only reason suggested is, that it is for the interests of the commerce of the port to induce these vessels to come here, and exempting them from these charges will operate as such inducement. This reason is not satisfactory. First, because it will hardly produce the supposed effect; and second, these vessels, if they come here, are in every other respect treated as other ships. They pay the same prices for supplies, the same harbor dues, the same wharfage, and if they go into the dry dock, the same dockage; and finally, if they are towed to sea by a steam tug, instead of being taken out by a pilot, they pay the same towage. Why the pilots alone, who are as deserving and meritorious as any class connected with the harbor and shipping interests, should be selected to make this contribution to whalers, I am unable to comprehend.

Another substantial reason why this exemption of whalers should be removed is, that it places before the pilot a grievous temptation.

It offers, in effect, a premium for the violation of his duty and of his oath of office, and in this way: The pilot stands out at sea, as is his duty, ready for service. He is bound by that duty and his oath of office to go to the vessel first calling for his services. In this condition of things, a whaler appears in the offing and signals for a pilot. The next moment a large merchantman, a little beyond, does the same thing. There is the same risk, hardship and labor in taking either vessel into port; but the one would, perhaps, pay him fifteen dollars—the other from two to three hundred. No legislation which holds out such inducements to do wrong can, by any possibility, be founded on correct principles.

For these reasons, whaling vessels should, in my judgment, be subjected to the same rates as other vessels.

The provision of the existing law, discriminating against Government vessels, has been abrogated by the Act of Congress of July thirteenth, eighteen hundred and sixty-six, and ought therefore to be dropped from the State law.

The rates of pilotage above suggested are, in my judgment, as low as they should be made at the present time; and this reduction ought to be made only if the steam tug clause is repealed and the exemption of whalers abolished. Since the existing law went into effect (April fourth, eighteen hundred and sixty-four), every pilot has been obliged to render to the Board of Examiners, every month, a statement of all his earnings. Several of the pilots were also before your committee, and freely gave all information asked as to their receipts. From the information thus gained, it appears their earnings, since eighteen hundred and sixty-four, have averaged about two hundred and seventy-five dollars per month. The amendments herein proposed will reduce their earnings about fifteen per cent.

This reduction, and the falling off of arrivals, and arrivals in ballast where vessels hitherto came loaded, consequent upon the completion of the railroad, will be certain, in my judgment, to keep the earnings of the pilots, hereafter, below two hundred dollars per month; and I submit that when we consider the responsibilities to which pilots are subject, the risk of life and property, the hardship of their calling, the amount of capital necessary to provide proper boats and keep them in repair, the high rates of insurance they are obliged to pay, the five per cent. contribution to the Board of Examiners, the danger from breakers on

the bar in winter and constant fogs in summer, the sum of two hundred dollars per month is paltry enough.

In this connection it may not be amiss to allude to the fact that within five years last past two pilot boats, with their crews, ten persons in all, of whom three were pilots, have been lost, in the pursuit of that most wild and hazardous calling. I am informed that these two boats were worth ten thousand dollars each, and neither was insured in any sum. True, it was the fault of the owners alone that the boats were not insured. But the risks are extra hazardous, and the underwriters charge such rates for policies that we need not be surprised at this want of insurance. How long must the pilots toil in their perilous vocation to make up these losses, at two hundred dollars per month?

In only one other respect does the present law, in my judgment, need material alteration. As it now stands, the Board of Examiners may, without any cause, refuse to renew the pilot's license *after* it has been once renewed. The intention, doubtless, was that the pilot should be be entitled to a renewal from year to year, as long as he desired, unless cause was shown for withholding; and the wording should be so changed in the seventh section as to carry out that intention.

Some of the oaths provided for in the existing law seem to be entirely uncalled for in the present condition of public affairs, and may be very properly omitted.

I do not see that any other changes than those above suggested are desirable.

But a long acquaintance and actual connection with pilots and pilot regulations at this port, through a period of many years, during a goodly portion of which time he has been Pilot Commissioner or Examiner, has convinced the undersigned that the changes herein recommended ought by all means to be made.

Inclosed herewith you will find a bill framed in accordance with the views I have expressed.

All of which is respectfully submitted,

NELSON PIERCE,
One of the Committee of the Chamber of Commerce.

